

# Senate Amendment 5384

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1 1 Amend the House amendment, S=5383, to Senate File  
1 2 2298, as amended, passed, and reprinted by the Senate,  
1 3 as follows:  
1 4 #1. Page 1, by inserting after line 4 the  
1 5 following:  
1 6 <#\_\_\_\_. Page 2, by striking lines 9 through 20.>  
1 7 #2. Page 1, by striking lines 5 through 26 and  
1 8 inserting the following:  
1 9 <#\_\_\_\_. Page 2, line 30, by striking the figure  
1 10 <1,950,000> and inserting the following: <1,889,610>.  
1 11 #\_\_\_\_. Page 2, line 33, by striking the figure  
1 12 <1,950,000> and inserting the following:  
1 13 <1,889,610>.>  
1 14 #3. Page 2, line 17, by striking the word  
1 15 and inserting the following: .  
1 16 #4. Page 2, line 18, by striking the word  
1 17 and inserting the following: .  
1 18 #5. Page 2, by striking lines 22 through 45.  
1 19 #6. Page 3, by striking lines 8 through 10.  
1 20 #7. By striking page 3, line 25, through page 9,  
1 21 line 3.  
1 22 #8. Page 12, by striking lines 22 through 25 and  
1 23 inserting the following: 1 24 section.>>  
1 25 #9. Page 13, by striking lines 38 through 40 and  
1 26 inserting the following: >  
1 27 #10. Page 28, by striking lines 8 through 24 and  
1 28 inserting the following:  
1 29 <2. ~~Six~~ Eight commissioners shall be honorably  
1 30 discharged members of the armed forces of the United  
1 31 States. The American legion of Iowa, disabled  
1 32 American veterans department of Iowa, veterans of  
1 33 foreign wars department of Iowa, American veterans of  
1 34 World War II, Korea, and Vietnam, the Vietnam veterans  
1 35 of America, and the military order of the purple  
1 36 heart, through their department commanders, shall  
1 37 submit two names respectively from their organizations  
1 38 to the governor. The adjutant general and the Iowa  
1 39 affiliate of the reserve officers association shall  
1 40 submit names to the governor of persons to represent  
1 41 the Iowa national guard and the association. The  
1 42 governor shall appoint from the group of names  
1 43 submitted by the adjutant general and reserve officers  
1 44 association two representatives and from each of the  
1 45 other organizations one representative to serve as a  
1 46 member of the commission, unless the appointments  
1 47 would conflict with the bipartisan and gender balance  
1 48 provisions of sections 69.16 and 69.16A. In addition,  
1 49 the governor shall appoint one member of the public,  
1 50 knowledgeable in the general field of veterans  
2 1 affairs, to serve on the commission.>>  
2 2 #11. Page 28, line 30, by inserting after the word  
2 3 the following: 2 4 who served in the armed forces of the United States  
2 5 and was honorably discharged, and is>.  
2 6 #12. Page 30, lines 13 and 14, by striking the  
2 7 words <the year preceding> and inserting the  
2 8 following: .  
2 9 #13. Page 42, line 8, by striking the figure <21.>  
2 10 and inserting the following: <21 and inserting the  
2 11 following:  
2 12  
2 13 REBUILD IOWA INFRASTRUCTURE FUND  
2 14 Sec. \_\_\_\_\_. There is appropriated from the rebuild  
2 15 Iowa infrastructure fund to the following departments  
2 16 and agencies for the designated fiscal years, the  
2 17 following amounts, or so much thereof as is necessary,  
2 18 to be used for the purposes designated:  
2 19 1. DEPARTMENT OF ADMINISTRATIVE SERVICES  
2 20 a. For routine maintenance of state buildings and  
2 21 facilities, notwithstanding section 8.57, subsection  
2 22 5, paragraph "c":  
2 23 FY 2004=2005..... \$ 2,000,000  
2 24 b. For relocation costs directly associated with  
2 25 remodeling projects on the capitol complex and for  
2 26 facility lease payments for the department of

2 27 corrections, the Iowa department of public health, and  
 2 28 the department of public safety, notwithstanding  
 2 29 section 8.57, subsection 5, paragraph "c":  
 2 30 FY 2004=2005..... \$ 2,271,617  
 2 31 c. For technology improvement projects,  
 2 32 notwithstanding section 8.57, subsection 5, paragraph  
 2 33 "c":  
 2 34 FY 2004=2005..... \$ 1,861,496  
 2 35 Of the amount appropriated in this lettered  
 2 36 paragraph, \$288,496 is allocated to maintain and  
 2 37 operate the enterprise warehouse technology project  
 2 38 and \$73,000 is allocated to the division of criminal  
 2 39 and juvenile justice planning of the department of  
 2 40 human rights for 1.00 full-time equivalent position to  
 2 41 provide support for the justice data warehouse  
 2 42 technology project.  
 2 43 d. For major renovation and major repair needs,  
 2 44 including health, life, and fire safety needs, and for  
 2 45 compliance with the federal Americans With  
 2 46 Disabilities Act, for state buildings and facilities  
 2 47 under the purview of the department:  
 2 48 FY 2004=2005..... \$ 4,300,000  
 2 49 (1) Of the amount appropriated in this lettered  
 2 50 paragraph, up to \$375,000 may be used for costs  
 3 1 associated with project management services in the  
 3 2 division of design and construction within the general  
 3 3 services enterprise of the department, notwithstanding  
 3 4 section 8.57, subsection 5, paragraph "c".  
 3 5 (2) Of the amount appropriated in this lettered  
 3 6 paragraph, \$200,000 may be used for costs associated  
 3 7 with the vertical infrastructure program,  
 3 8 notwithstanding section 8.57, subsection 5, paragraph  
 3 9 "c".  
 3 10 e. For costs associated with the remodeling of the  
 3 11 records and property center:  
 3 12 FY 2004=2005..... \$ 5,000,000  
 3 13 FY 2005=2006..... \$ 4,700,000  
 3 14 f. For accent lighting systems for the soldiers  
 3 15 and sailors monument and the Allison monument on the  
 3 16 capitol complex:  
 3 17 FY 2004=2005..... \$ 35,000  
 3 18 g. For capitol interior restoration:  
 3 19 FY 2004=2005..... \$ 1,770,000  
 3 20 h. For costs associated with the purchase of  
 3 21 laboratory equipment for and the maintenance and  
 3 22 operation of the state laboratories facility located  
 3 23 in Ankeny, notwithstanding section 8.57, subsection 5,  
 3 24 paragraph "c":  
 3 25 FY 2004=2005..... \$ 355,500  
 3 26 2. DEPARTMENT FOR THE BLIND  
 3 27 For the remodeling of the orientation center:  
 3 28 FY 2004=2005..... \$ 67,000  
 3 29 3. STATE BOARD OF REGENTS  
 3 30 For maintenance at the Iowa school for the deaf and  
 3 31 the Iowa braille and sight saving school:  
 3 32 FY 2004=2005..... \$ 500,000  
 3 33 4. DEPARTMENT OF CORRECTIONS  
 3 34 a. For costs of entering into a lease-purchase  
 3 35 agreement to connect the electrical system supporting  
 3 36 the special needs unit at Fort Madison:  
 3 37 FY 2004=2005..... \$ 333,168  
 3 38 b. For construction of a community-based  
 3 39 correctional facility, including district offices, in  
 3 40 Davenport:  
 3 41 FY 2004=2005..... \$ 3,000,000  
 3 42 FY 2005=2006..... \$ 3,750,000  
 3 43 FY 2006=2007..... \$ 3,750,000  
 3 44 It is the intent of the general assembly that the  
 3 45 department of management allocate the entire  
 3 46 appropriation for the fiscal year beginning July 1,  
 3 47 2006, to the department of corrections by July 31,  
 3 48 2006.  
 3 49 5. DEPARTMENT OF CULTURAL AFFAIRS  
 3 50 a. For historical site preservation grants, to be  
 4 1 used for the restoration, preservation, and  
 4 2 development of historical sites:  
 4 3 FY 2004=2005..... \$ 500,000  
 4 4 Historical site preservation grants shall only be  
 4 5 awarded for projects which meet the definition of  
 4 6 "vertical infrastructure" in section 8.57, subsection  
 4 7 5, paragraph "c".

4 8 In making grants pursuant to this lettered  
4 9 paragraph, the department shall consider the existence  
4 10 and amount of other funds available to an applicant  
4 11 for the designated project. A grant awarded from  
4 12 moneys appropriated in this lettered paragraph shall  
4 13 not exceed \$100,000 per project. Not more than two  
4 14 grants may be awarded in the same county.

4 15 b. For continuation of the project recommended by  
4 16 the Iowa battle flag advisory committee to stabilize  
4 17 the condition of the battle flag collection,  
4 18 notwithstanding section 8.57, subsection 5, paragraph  
4 19 "c":

4 20 FY 2004=2005..... \$ 100,000

4 21 6. DEPARTMENT OF ECONOMIC DEVELOPMENT

4 22 a. For accelerated career education program  
4 23 capital projects at community colleges that are  
4 24 authorized under chapter 260G and that meet the  
4 25 definition of "vertical infrastructure" in section  
4 26 8.57, subsection 5, paragraph "c":

4 27 FY 2004=2005..... \$ 5,500,000

4 28 The moneys appropriated in this paragraph shall be  
4 29 allocated equally among the community colleges in the  
4 30 state. If any portion of the equal allocation to a  
4 31 community college is not obligated or encumbered by  
4 32 April 1, 2005, the unobligated and unencumbered  
4 33 portions shall be available for use by other community  
4 34 colleges.

4 35 b. For sole source grant costs associated with the  
4 36 hosting of the national special Olympics in Iowa by a  
4 37 special Olympics nonprofit entity, notwithstanding  
4 38 section 8.57, subsection 5, paragraph "c":

4 39 FY 2004=2005..... \$ 500,000

4 40 c. To provide a grant for the planning, design,  
4 41 and construction of a not-for-profit family  
4 42 recreational facility that will also include a cardiac  
4 43 rehabilitation center and a family indoor aquatic  
4 44 center and which will be located in a county with a  
4 45 population between 150,000 and 185,000:

4 46 FY 2004=2005..... \$ 200,000

4 47 d. To be used for the Iowa Lewis and Clark  
4 48 bicentennial commission established pursuant to  
4 49 section 15.221, notwithstanding section 8.57,  
4 50 subsection 5, paragraph "c":

5 1 FY 2004=2005..... \$ 50,000

5 2 7. DEPARTMENT OF EDUCATION

5 3 a. To provide resources for structural and  
5 4 technological improvements to local libraries and for  
5 5 the enrich Iowa program, notwithstanding section 8.57,  
5 6 subsection 5, paragraph "c":

5 7 FY 2004=2005..... \$ 600,000

5 8 Funds allocated for purposes of the enrich Iowa  
5 9 program as provided in this lettered paragraph shall  
5 10 be distributed by the division of libraries and  
5 11 information services to provide support for Iowa's  
5 12 libraries.

5 13 b. For maintenance and lease costs associated with  
5 14 part III connections, notwithstanding section 8.57,  
5 15 subsection 5, paragraph "c":

5 16 FY 2004=2005..... \$ 2,727,000

5 17 c. For costs associated with the remodeling of the  
5 18 Jessie Parker building:

5 19 FY 2004=2005..... \$ 303,632

5 20 d. For allocation to the public broadcasting  
5 21 division for costs of installation of digital and  
5 22 analog television for Iowa public television  
5 23 facilities, notwithstanding section 8.57, subsection  
5 24 5, paragraph "c":

5 25 FY 2004=2005..... \$ 8,000,000  
5 26 FY 2005=2006..... \$ 8,000,000  
5 27 FY 2006=2007..... \$ 2,300,000

5 28 8. DEPARTMENT OF HUMAN SERVICES

5 29 To provide a grant for the planning, design, and  
5 30 construction of a residential treatment facility for  
5 31 youth with emotional and behavioral disorders located  
5 32 in a central Iowa county with a population of  
5 33 approximately 80,000:

5 34 FY 2004=2005..... \$ 250,000

5 35 9. IOWA STATE FAIR AUTHORITY

5 36 For vertical infrastructure projects on the state  
5 37 fairgrounds:

5 38 FY 2004=2005..... \$ 250,000

5 39 For purposes of this subsection, "vertical  
 5 40 infrastructure" means the same as defined in section  
 5 41 8.57, subsection 5, paragraph "c".  
 5 42 10. NATIONAL PROGRAM FOR PLAYGROUND SAFETY AT THE  
 5 43 UNIVERSITY OF NORTHERN IOWA  
 5 44 For the Iowa safe surfacing initiative,  
 5 45 notwithstanding section 8.57, subsection 5, paragraph  
 5 46 "c":  
 5 47 ..... \$ 500,000  
 5 48 Not more than 2.5 percent of the funds appropriated  
 5 49 in this subsection shall be used by the national  
 5 50 program for playground safety for administrative costs  
 6 1 associated with the Iowa safe surfacing initiative.  
 6 2 The crumb rubber playground tiles for the  
 6 3 initiative shall be international play equipment  
 6 4 manufacturers association (IPEMA)=certified to the  
 6 5 American society for testing and materials (ASTM)  
 6 6 F1292 standard.  
 6 7 11. DEPARTMENT OF NATURAL RESOURCES  
 6 8 For costs associated with the planning, design, and  
 6 9 construction of a premier destination state park,  
 6 10 notwithstanding section 8.57, subsection 5, paragraph  
 6 11 "c":  
 6 12 FY 2004=2005..... \$ 500,000  
 6 13 12. DEPARTMENT OF PUBLIC DEFENSE  
 6 14 a. For planning, design, and construction of a  
 6 15 national guard readiness center in or near Iowa City:  
 6 16 FY 2004=2005..... \$ 2,150,000  
 6 17 b. For maintenance and repair of national guard  
 6 18 armories and facilities:  
 6 19 FY 2004=2005..... \$ 1,269,636  
 6 20 c. For construction of a new national guard armory  
 6 21 at Boone:  
 6 22 FY 2004=2005..... \$ 1,096,000  
 6 23 13. DEPARTMENT OF PUBLIC SAFETY  
 6 24 a. For capitol building and judicial building  
 6 25 security, notwithstanding section 8.57, subsection 5,  
 6 26 paragraph "c":  
 6 27 FY 2004=2005..... \$ 800,000  
 6 28 b. For capitol complex security notwithstanding  
 6 29 section 8.57, subsection 5, paragraph "c":  
 6 30 FY 2004=2005..... \$ 300,000  
 6 31 c. For costs of entering into a lease=purchase  
 6 32 agreement to upgrade the automated fingerprint  
 6 33 identification system, notwithstanding section 8.57,  
 6 34 subsection 5, paragraph "c":  
 6 35 FY 2004=2005..... \$ 550,000  
 6 36 d. For costs associated with improvements to  
 6 37 Iowa's electronic criminal information records system  
 6 38 to comply with national crime information center  
 6 39 standards, notwithstanding section 8.57, subsection 5,  
 6 40 paragraph "c":  
 6 41 FY 2004=2005..... \$ 500,000  
 6 42 e. To the division of fire safety of the  
 6 43 department for allocation to the fire service training  
 6 44 bureau for the planning, design, and construction of  
 6 45 regional training facilities in the state:  
 6 46 FY 2004=2005..... \$ 150,000  
 6 47 f. To the division of fire safety of the  
 6 48 department for allocation to the fire service training  
 6 49 bureau to be used for the revolving loan program for  
 6 50 equipment purchases by local fire departments, not  
 7 1 withstanding section 8.57, subsection 5, paragraph  
 7 2 "c":  
 7 3 FY 2004=2005..... \$ 500,000  
 7 4 14. STATE DEPARTMENT OF TRANSPORTATION  
 7 5 a. For operation and maintenance of the network of  
 7 6 automated weather observation and data transfer  
 7 7 systems associated with the Iowa aviation weather  
 7 8 system, the runway marking program for public  
 7 9 airports, the windsock program for public airports,  
 7 10 and the aviation improvement program, notwithstanding  
 7 11 section 8.57, subsection 5, paragraph "c":  
 7 12 FY 2004=2005..... \$ 500,000  
 7 13 b. For vertical infrastructure improvements at the  
 7 14 commercial air service airports within the state:  
 7 15 FY 2004=2005..... \$ 1,100,000  
 7 16 One-half of the funds appropriated in this lettered  
 7 17 paragraph shall be allocated equally between each  
 7 18 commercial service airport, 40 percent of the funds  
 7 19 shall be allocated based on the percentage that the

7 20 number of enplaned passengers at each commercial  
7 21 service airport bears to the total number of enplaned  
7 22 passengers in the state during the previous fiscal  
7 23 year, and 10 percent of the funds shall be allocated  
7 24 based on the percentage that the air cargo tonnage at  
7 25 each commercial service airport bears to the total air  
7 26 cargo tonnage in the state during the previous fiscal  
7 27 year. In order for a commercial service airport to  
7 28 receive funding under this lettered paragraph, the  
7 29 airport shall be required to submit applications for  
7 30 funding of specific projects to the department for  
7 31 approval by the state transportation commission.  
7 32 c. For a vertical infrastructure improvement grant  
7 33 program for improvements at general aviation airports  
7 34 within the state:  
7 35 FY 2004=2005..... \$ 581,400  
7 36 15. OFFICE OF TREASURER OF STATE  
7 37 For county fair infrastructure improvements for  
7 38 distribution in accordance with chapter 174 to  
7 39 qualified fairs which belong to the association of  
7 40 Iowa fairs:  
7 41 FY 2004=2005..... \$ 1,060,000  
7 42 16. COMMISSION OF VETERANS AFFAIRS  
7 43 For deposit in the veterans trust fund established  
7 44 in section 35A.13, notwithstanding section 8.57,  
7 45 subsection 5, paragraph "c":  
7 46 FY 2004=2005..... \$ 1,000,000  
7 47 Of the amount appropriated in this subsection,  
7 48 notwithstanding contrary provisions of section 35A.13,  
7 49 \$500,000 is appropriated to and shall be used by the  
7 50 commission of veterans affairs for the establishment  
8 1 and operation of a veterans cemetery as required by  
8 2 section 35A.3, subsection 14, if enacted by this Act.  
8 3 Notwithstanding section 8.33, moneys appropriated in  
8 4 this unnumbered paragraph that remain unencumbered or  
8 5 unobligated at the close of the fiscal year shall not  
8 6 revert but shall remain available for expenditure for  
8 7 the purposes designated until the close of the  
8 8 succeeding fiscal year or when the project is  
8 9 completed, whichever is later.  
8 10 Sec. \_\_\_\_\_. PAYMENTS IN LIEU OF TUITION. There is  
8 11 appropriated from the rebuild Iowa infrastructure fund  
8 12 to the state board of regents for the fiscal year  
8 13 beginning July 1, 2004, and ending June 30, 2005, the  
8 14 following amount, or so much thereof as may be  
8 15 necessary, to be used for the purpose designated:  
8 16 For allocation by the state board of regents to the  
8 17 state university of Iowa, the Iowa state university of  
8 18 science and technology, and the university of northern  
8 19 Iowa to reimburse the institutions for deficiencies in  
8 20 their operating funds resulting from the pledging of  
8 21 tuitions, student fees and charges, and institutional  
8 22 income to finance the cost of providing academic and  
8 23 administrative buildings and facilities and utility  
8 24 services at the institutions, notwithstanding section  
8 25 8.57, subsection 5, paragraph "c":  
8 26 ..... \$ 858,764  
8 27 Sec. \_\_\_\_\_. REVERSION. Notwithstanding section  
8 28 8.33, moneys appropriated from the rebuild Iowa  
8 29 infrastructure fund in this division of this Act shall  
8 30 not revert at the close of the fiscal year for which  
8 31 they were appropriated but shall remain available for  
8 32 the purposes designated until the close of the fiscal  
8 33 year that begins July 1, 2007, or until the project  
8 34 for which the appropriation was made is completed,  
8 35 whichever is earlier. This section does not apply to  
8 36 the sections in this division of this Act that were  
8 37 previously enacted and are amended in this division of  
8 38 this Act.  
8 39 Sec. \_\_\_\_\_. 2003 Iowa Acts, chapter 177, section 6,  
8 40 subsection 2, is amended to read as follows:  
8 41 2. For costs associated with the ~~planning for the~~  
~~vacation and demolition disposition~~ of the Wallace  
8 43 building:  
8 44 ..... \$ 50,000  
8 45 The amount appropriated in this subsection shall be  
8 46 used to conduct a complete evaluation and analysis  
8 47 regarding the condition of the Wallace building,  
8 48 including structural, mechanical, and environmental  
8 49 systems and building air quality, and to make a  
8 50 recommendation to the general assembly no later than

9 1 January 31, 2005, as to whether the Wallace building  
9 2 should be renovated for future use or vacated and  
9 3 demolished. The recommendation shall include cost  
9 4 estimates for renovation of the building and for its  
9 5 demolition.

9 6 Sec. \_\_\_\_\_. 2003 Iowa Acts, chapter 177, section 14,  
9 7 is amended to read as follows:

9 8 SEC. 14. REVERSION. Notwithstanding section 8.33,  
9 9 moneys appropriated in this division of this Act shall  
9 10 not revert at the close of the fiscal year for which  
9 11 they were appropriated but shall remain available for  
9 12 the purposes designated until the close of the fiscal  
9 13 year that begins July 1, ~~2006~~ 2007, or until the  
9 14 project for which the appropriation was made is  
9 15 completed, whichever is earlier.

9 16 Sec. \_\_\_\_\_. 2003 Iowa Acts, chapter 179, section  
9 17 140, is amended to read as follows:

9 18 SEC. 140. Notwithstanding section 8.33,  
9 19 unencumbered and unobligated funds remaining from the  
9 20 appropriation made in 1996 Iowa Acts, chapter 1218,  
9 21 section 13, subsection 2, paragraph "a", subparagraph  
9 22 (2), as amended by 1997 Iowa Acts, chapter 215,  
9 23 section 3, and from the appropriation made in 1997  
9 24 Iowa Acts, chapter 215, section 4, subsection 1, shall  
9 25 not revert but shall be available for the purposes  
9 26 designated in those provisions until the close of the  
9 27 fiscal year beginning July 1, ~~2003~~ 2004.

9 28 Of the amount of unencumbered and unobligated funds  
9 29 identified in this section, \$180,000 shall be used for  
9 30 the purposes described in 2003 Iowa Acts, chapter 177,  
9 31 section 6, subsection 2, as amended by this 2004 Act.

9 32 Sec. \_\_\_\_\_. 2002 Iowa Acts, chapter 1173, section  
9 33 18, as amended by 2003 Iowa Acts, chapter 179, section  
9 34 39, is amended to read as follows:

9 35 SEC. 18. POOLED TECHNOLOGY FUNDING == PRIOR  
9 36 ALLOCATIONS == NONREVERSION. Notwithstanding section  
9 37 8.33, moneys appropriated and allocated in 2001 Iowa  
9 38 Acts, chapter 189, section 5, subsection 1, which  
9 39 remain unobligated or unexpended at the close of the  
9 40 fiscal year for which they were appropriated shall not  
9 41 revert, but shall remain available for expenditure for  
9 42 the purposes for which they were appropriated and  
9 43 allocated, for the fiscal period beginning July 1,  
9 44 2002, and ending June 30, ~~2004~~ 2005. Notwithstanding  
9 45 the expenditure limitation in this section, the

9 46 information technology enterprise within the  
9 47 department of administrative services may expend  
9 48 available moneys in the pooled technology account  
9 49 established in the office of the treasurer of state to  
9 50 complete the comprehensive study required under 2003

10 1 Iowa Acts, chapter 145, section 290, subsection 2,  
10 2 paragraph "c".

10 3 Sec. \_\_\_\_\_. 2000 Iowa Acts, chapter 1225, section 2,  
10 4 as amended by 2001 Iowa Acts, chapter 185, section 2,  
10 5 is amended to read as follows:

10 6 SEC. 2. There is appropriated from the rebuild  
10 7 Iowa infrastructure fund to the department of  
10 8 corrections for the fiscal year beginning July 1,  
10 9 2000, and ending June 30, 2001, the following amounts,  
10 10 or so much thereof as is necessary, to be used for the  
10 11 purposes designated:

10 12 1. To supplement funds appropriated in 1998 Iowa  
10 13 Acts, chapter 1219, section 2, subsection 3, for  
10 14 construction of a 200-bed facility at the Iowa state  
10 15 penitentiary at Fort Madison:

10 16 ..... \$ 3,000,000

10 17 2. For community-based corrections projects:

10 18 ..... \$ 900,000

10 19 The first \$300,000 of the amount appropriated in  
10 20 this subsection shall be allocated for community-based  
10 21 corrections projects in Council Bluffs. The next  
10 22 \$600,000 of the amount appropriated in this subsection  
10 23 shall be allocated for community-based corrections  
10 24 projects in the judicial district in which the city of  
10 25 Davenport is located. These moneys may be used by the  
10 26 department to enter into lease-purchasing agreements  
10 27 or the payment of rent for such projects.

10 28 Notwithstanding section 8.33 and section 20 of this  
10 29 Act, moneys appropriated in subsection 2 that remain  
10 30 unencumbered or unobligated at the close of the fiscal  
10 31 year that begins July 1, 2003, shall revert at the

10 32 close of the fiscal year that begins July 1, 2006.  
10 33 However, if the projects for which the moneys are  
10 34 appropriated are completed in an earlier fiscal year,  
10 35 unencumbered or unobligated moneys shall revert at the  
10 36 close of that fiscal year.

10 37 Sec. \_\_\_\_\_. 2000 Iowa Acts, chapter 1225, section  
10 38 19, unnumbered paragraph 2, is amended to read as  
10 39 follows:

10 40 To supplement moneys appropriated in prior fiscal  
10 41 years for construction of a new dining hall and food  
10 42 services facility and renovation of the former Sheeler  
10 43 food preparation area:

10 44 ..... \$ 992,000

10 45 Sec. \_\_\_\_\_. 2000 Iowa Acts, chapter 1225, section  
10 46 20, is amended to read as follows:

10 47 SEC. 20. REVERSION. Notwithstanding section 8.33,  
10 48 moneys appropriated in this division of this Act that  
10 49 remain unencumbered or unobligated at the close of the  
10 50 fiscal year that begins July 1, ~~2003~~ 2004, shall  
11 1 revert at the close of that fiscal year. However, if  
11 2 the projects for which the moneys are appropriated are  
11 3 completed in an earlier fiscal year, unencumbered or  
11 4 unobligated moneys shall revert at the close of that  
11 5 fiscal year.

11 6 Sec. \_\_\_\_\_. EXAMINATION OF DEPARTMENT OF  
11 7 ADMINISTRATION == FY 2003=2004. Notwithstanding  
11 8 section 11.5B, for the fiscal year beginning July 1,  
11 9 2003, and ending June 30, 2004, the auditor of state  
11 10 shall not be entitled to reimbursement for performing  
11 11 any examination of the department of administrative  
11 12 services or funds received by the department of  
11 13 administrative services, except for an examination of  
11 14 the information technology enterprise within the  
11 15 department of administrative services and funds  
11 16 received by the information technology enterprise.

11 17 Sec. \_\_\_\_\_. SECURE AN ADVANCED VISION FOR EDUCATION  
11 18 FUND. Notwithstanding the maximum amount of the  
11 19 appropriation from the rebuild Iowa infrastructure  
11 20 fund to the secure an advanced vision for education  
11 21 fund specified in section 8.57, subsection 5,  
11 22 paragraph "f", the maximum amount of such  
11 23 appropriation for the fiscal year beginning July 1,  
11 24 2004, and ending June 30, 2005, shall not exceed  
11 25 \$8,160,000.

11 26 Sec. \_\_\_\_\_. The following sections of this division  
11 27 of this Act, being deemed of immediate importance,  
11 28 take effect upon enactment:

11 29 1. The section amending 2003 Iowa Acts, chapter  
11 30 177, section 6.

11 31 2. The section amending 2003 Iowa Acts, chapter  
11 32 179, section 140.

11 33 3. The section amending 2002 Iowa Acts, chapter  
11 34 1173, section 18, as amended by 2003 Iowa Acts,  
11 35 chapter 179, section 39.

11 36 4. The section amending 2000 Iowa Acts, chapter  
11 37 1225, section 2, as amended by 2001 Iowa Acts, chapter  
11 38 185, section 2.

11 39 5. The section amending 2000 Iowa Acts, chapter  
11 40 1225, section 19.

11 41 6. The section amending 2000 Iowa Acts, chapter  
11 42 1225, section 20.

11 43 7. The section addressing the examination of the  
11 44 department of administration in fiscal year 2003=2004.

11 45 DIVISION \_\_\_\_  
11 46 ENVIRONMENT FIRST FUND

11 47 Sec. \_\_\_\_\_. There is appropriated from the  
11 48 environment first fund to the following departments  
11 49 and agencies for the fiscal year beginning July 1,  
11 50 2004, and ending June 30, 2005, the following amounts,  
12 1 or so much thereof as is necessary, to be used for the  
12 2 purposes designated:

12 3 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

12 4 a. For the conservation reserve enhancement  
12 5 program to restore and construct wetlands for the  
12 6 purposes of intercepting tile line runoff, reducing  
12 7 nutrient loss, improving water quality, and enhancing  
12 8 agricultural production practices:

12 9 ..... \$ 1,500,000

12 10 Not more than 5 percent of the moneys appropriated  
12 11 in this lettered paragraph may be used for costs of  
12 12 administration and implementation of soil and water

12 13 conservation practices.  
 12 14 b. For continuation of a program that provides  
 12 15 multiobjective resource protections for flood control,  
 12 16 water quality, erosion control, and natural resource  
 12 17 conservation:  
 12 18 ..... \$ 2,700,000  
 12 19 Not more than 5 percent of the moneys appropriated  
 12 20 in this lettered paragraph may be used for costs of  
 12 21 administration and implementation of soil and water  
 12 22 conservation practices.  
 12 23 c. For continuation of a statewide voluntary farm  
 12 24 management demonstration program to demonstrate the  
 12 25 effectiveness and adaptability of emerging practices  
 12 26 in agronomy that protect water resources and provide  
 12 27 other environmental benefits:  
 12 28 ..... \$ 850,000  
 12 29 Not more than 5 percent of the moneys appropriated  
 12 30 in this lettered paragraph may be used for costs of  
 12 31 administration and implementation of soil and water  
 12 32 conservation practices.  
 12 33 Of the amount appropriated in this lettered  
 12 34 paragraph, \$400,000 shall be allocated to the Iowa  
 12 35 soybean association's agriculture and environment  
 12 36 performance program.  
 12 37 d. For deposit in the alternative drainage system  
 12 38 assistance fund created in section 460.303 to be used  
 12 39 for purposes of supporting the alternative drainage  
 12 40 system assistance program as provided in section  
 12 41 460.304:  
 12 42 ..... \$ 500,000  
 12 43 Not more than 5 percent of the moneys appropriated  
 12 44 in this lettered paragraph may be used for costs of  
 12 45 administration and implementation of soil and water  
 12 46 conservation practices.  
 12 47 e. To provide financial assistance for the  
 12 48 establishment of permanent soil and water conservation  
 12 49 practices:  
 12 50 ..... \$ 5,500,000  
 13 1 (1) Not more than 5 percent of the moneys  
 13 2 appropriated in this lettered paragraph may be  
 13 3 allocated for cost-sharing to abate complaints filed  
 13 4 under section 161A.47.  
 13 5 (2) Of the moneys appropriated in this lettered  
 13 6 paragraph, 5 percent shall be allocated for financial  
 13 7 incentives to establish practices to protect  
 13 8 watersheds above publicly owned lakes of the state  
 13 9 from soil erosion and sediment as provided in section  
 13 10 161A.73.  
 13 11 (3) Not more than 30 percent of a district's  
 13 12 allocation of moneys as financial incentives may be  
 13 13 provided for the purpose of establishing management  
 13 14 practices to control soil erosion on land that is row=  
 13 15 cropped, including but not limited to no=till  
 13 16 planting, ridge=till planting, contouring, and contour  
 13 17 strip-cropping as provided in section 161A.73.  
 13 18 (4) The state soil conservation committee created  
 13 19 in section 161A.4 may allocate moneys appropriated in  
 13 20 this lettered paragraph to conduct research and  
 13 21 demonstration projects to promote conservation tillage  
 13 22 and nonpoint source pollution control practices.  
 13 23 (5) The financial incentive payments may be used  
 13 24 in combination with department of natural resources  
 13 25 moneys.  
 13 26 (6) Not more than 10 percent of the moneys  
 13 27 appropriated in this lettered paragraph may be used  
 13 28 for costs of administration and implementation of soil  
 13 29 and water conservation practices.  
 13 30 f. To encourage and assist farmers in enrolling in  
 13 31 and the implementation of federal conservation  
 13 32 programs and work with them to enhance their  
 13 33 revegetation efforts to improve water quality and  
 13 34 habitat:  
 13 35 ..... \$ 2,000,000  
 13 36 Not more than 5 percent of the moneys appropriated  
 13 37 in this lettered paragraph may be used for costs of  
 13 38 administration and implementation of soil and water  
 13 39 conservation practices.  
 13 40 g. For deposit in the loess hills development and  
 13 41 conservation fund created in section 161D.2:  
 13 42 ..... \$ 600,000  
 13 43 Of the amount appropriated in this lettered

13 44 paragraph, \$400,000 shall be allocated to the hungry  
13 45 canyons account and \$200,000 shall be allocated to the  
13 46 loess hills alliance account, to be used for the  
13 47 purposes for which the moneys in those accounts are  
13 48 authorized to be used under chapter 161D. No more  
13 49 than 5 percent of the moneys allocated to each account  
13 50 in this lettered paragraph may be used for  
14 1 administrative costs.

14 2 h. For deposit in the southern Iowa development  
14 3 and conservation fund created in section 161D.12:  
14 4 ..... \$ 300,000  
14 5 Not more than 5 percent of the moneys appropriated  
14 6 in this lettered paragraph may be used for  
14 7 administrative costs.

14 8 2. DEPARTMENT OF ECONOMIC DEVELOPMENT  
14 9 For deposit in the brownfield redevelopment fund  
14 10 created in section 15.293 to provide assistance under  
14 11 the brownfield redevelopment program:  
14 12 ..... \$ 500,000

14 13 3. DEPARTMENT OF NATURAL RESOURCES  
14 14 a. To provide local watershed managers with  
14 15 geographic information system data for their use in  
14 16 developing, monitoring, and displaying results of  
14 17 their watershed work:  
14 18 ..... \$ 195,000

14 19 b. For statewide coordination of volunteer efforts  
14 20 under the water quality and keepers of the land  
14 21 programs:  
14 22 ..... \$ 100,000

14 23 c. For continuing the establishment and operation  
14 24 of water quality monitoring stations:  
14 25 ..... \$ 2,955,000

14 26 d. For deposit in the administration account of  
14 27 the water quality protection fund, to carry out the  
14 28 purposes of that account:  
14 29 ..... \$ 500,000

14 30 e. For air quality monitoring equipment:  
14 31 ..... \$ 500,000

14 32 f. For the dredging of lakes, including necessary  
14 33 preparation for dredging, in accordance with the  
14 34 department's classification of Iowa lakes restoration  
14 35 report:  
14 36 ..... \$ 1,000,000

14 37 The department shall consider the following  
14 38 criteria for funding lake dredging projects as  
14 39 provided in this lettered paragraph, and shall  
14 40 prioritize projects based on the following:  
14 41 (1) Documented efforts to address watershed  
14 42 protection, considering testing, conservation efforts,  
14 43 and amount of time devoted to watershed protection.  
14 44 (2) Protection of a natural resource and natural  
14 45 habitat.  
14 46 (3) Percentage of public access and undeveloped  
14 47 lakefront property.  
14 48 (4) Continuation of current projects partially  
14 49 funded by state resources to achieve department  
14 50 recommendations.

15 1 g. For purposes of funding capital projects for  
15 2 the purposes specified in section 452A.79, and for  
15 3 expenditures for the local cost share grants to be  
15 4 used for capital expenditures to local governmental  
15 5 units for boating accessibility:  
15 6 ..... \$ 2,300,000

15 7 h. For regular maintenance of state parks and  
15 8 staff time associated with these activities:  
15 9 ..... \$ 2,000,000

15 10 RESOURCES ENHANCEMENT AND PROTECTION FUND  
15 11 Sec. \_\_\_\_\_. Notwithstanding the amount of the  
15 12 standing appropriation from the general fund of the  
15 13 state under section 455A.18, subsection 3, there is  
15 14 appropriated from the environment first fund to the  
15 15 Iowa resources enhancement and protection fund, in  
15 16 lieu of the appropriation made in section 455A.18, for  
15 17 the fiscal year beginning July 1, 2004, and ending  
15 18 June 30, 2005, the following amount, to be allocated  
15 19 as provided in section 455A.19:  
15 20 ..... \$ 11,000,000

15 21 Sec. \_\_\_\_\_. REVERSION.  
15 22 1. Except as provided in subsection 2, and  
15 23 notwithstanding section 8.33, moneys appropriated in  
15 24 this division of this Act that remain unencumbered or

15 25 unobligated shall not revert at the close of the  
15 26 fiscal year for which they were appropriated but shall  
15 27 remain available for the purposes designated until the  
15 28 close of the fiscal year beginning July 1, 2005, or  
15 29 until the project for which the appropriation was made  
15 30 is completed, whichever is earlier.

15 31 2. Notwithstanding section 8.33, moneys  
15 32 appropriated in this division of this Act to the  
15 33 department of agriculture and land stewardship to  
15 34 provide financial assistance for the establishment of  
15 35 permanent soil and water conservation practices that  
15 36 remain unencumbered or unobligated at the close of the  
15 37 fiscal year shall not revert but shall remain  
15 38 available for expenditure for the purposes designated  
15 39 until the close of the fiscal year that begins July 1,  
15 40 2007.

15 41 DIVISION \_\_\_\_

15 42 TOBACCO SETTLEMENT TRUST FUND

15 43 Sec. \_\_\_\_\_. There is appropriated from the tax=  
15 44 exempt bond proceeds restricted capital funds account  
15 45 of the tobacco settlement trust fund to the following  
15 46 departments and agencies for the fiscal year beginning  
15 47 July 1, 2004, and ending June 30, 2005, the following  
15 48 amounts, or so much thereof as is necessary, to be  
15 49 used for the purposes designated:

15 50 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

16 1 a. For the payment of claims relating to the  
16 2 purchase and implementation of an integrated  
16 3 information for Iowa system, notwithstanding section  
16 4 12E.12, subsection 1, paragraph "b", subparagraph (1):  
16 5 ..... \$ 6,049,284

16 6 b. For capitol interior restoration:  
16 7 ..... \$ 3,500,000

16 8 The department shall consult with the leaders of  
16 9 the senate and house of representatives prior to  
16 10 planning or implementing any capitol interior  
16 11 restoration project or other activity.

16 12 2. TAX=EXEMPT STATUS == USE OF APPROPRIATIONS.

16 13 Payment of moneys from the appropriations in this  
16 14 section shall be made in a manner that does not  
16 15 adversely affect the tax-exempt status of any  
16 16 outstanding bonds issued by the tobacco settlement  
16 17 authority.

16 18 3. REVERSION. Notwithstanding section 8.33,  
16 19 moneys appropriated in this section shall not revert  
16 20 at the close of the fiscal year for which they were  
16 21 appropriated but shall remain available for the  
16 22 purposes designated until the close of the fiscal year  
16 23 that begins July 1, 2006, or until the project for  
16 24 which the appropriation was made is completed,  
16 25 whichever is earlier.

16 26 Sec. \_\_\_\_\_. PAYMENTS IN LIEU OF TUITION. There is  
16 27 appropriated from the tax-exempt bond proceeds  
16 28 restricted capital funds account of the tobacco  
16 29 settlement trust fund of the state to the state board  
16 30 of regents for the fiscal year beginning July 1, 2004,  
16 31 and ending June 30, 2005, the following amount, or so  
16 32 much thereof as is necessary, to be used for the  
16 33 purpose designated:

16 34 For allocation by the state board of regents to the  
16 35 state university of Iowa, the Iowa state university of  
16 36 science and technology, and the university of northern  
16 37 Iowa to reimburse the institutions for deficiencies in  
16 38 their operating funds resulting from the pledging of  
16 39 tuitions, student fees and charges, and institutional  
16 40 income to finance the cost of providing academic and  
16 41 administrative buildings and facilities and utility  
16 42 services at the institutions, notwithstanding section  
16 43 12E.12, subsection 1, paragraph "b", subparagraph (1):  
16 44 ..... \$ 10,437,174

16 45 Sec. \_\_\_\_\_. IOWA COMMUNICATIONS NETWORK DEBT

16 46 SERVICE. There is appropriated from the tax-exempt  
16 47 bond proceeds restricted capital funds account of the  
16 48 tobacco settlement trust fund to the office of the  
16 49 treasurer of state for the fiscal year beginning July  
16 50 1, 2004, and ending June 30, 2005, the following  
17 1 amount, or so much thereof as is necessary, to be used  
17 2 for the purpose designated:

17 3 For debt service for the Iowa communications  
17 4 network, notwithstanding section 12E.12, subsection 1,  
17 5 paragraph "b", subparagraph (1):

17 6 ..... \$ 13,039,778

17 7 Funds appropriated in this section shall be  
17 8 deposited in a separate fund established in the office  
17 9 of the treasurer of state to be used solely for debt  
17 10 service for the Iowa communications network. The Iowa  
17 11 telecommunications and technology commission shall  
17 12 certify to the treasurer of state when a debt service  
17 13 payment is due, and upon receipt of the certification,  
17 14 the treasurer shall make the payment. The commission  
17 15 shall pay any additional amount due from funds  
17 16 deposited in the Iowa communications network fund.

17 17 Sec. \_\_\_\_ PRISON DEBT SERVICE. There is  
17 18 appropriated from the tax-exempt bond proceeds  
17 19 restricted capital funds account of the tobacco  
17 20 settlement trust fund to the office of the treasurer  
17 21 of state for the fiscal year beginning July 1, 2004,  
17 22 and ending June 30, 2005, the following amount, or so  
17 23 much thereof as is necessary, to be used for the  
17 24 purpose designated:

17 25 For repayment of prison infrastructure bonds under  
17 26 section 16.177, notwithstanding section 12E.12,  
17 27 subsection 1, paragraph "b", subparagraph (1):

17 28 ..... \$ 5,413,324

17 29 Sec. \_\_\_\_ ENDOWMENT FOR IOWA'S HEALTH ACCOUNT ==  
17 30 TRANSFER TO REBUILD IOWA INFRASTRUCTURE FUND.  
17 31 Notwithstanding 2001 Iowa Acts, chapter 174, section  
17 32 1, subsection 1, as amended by 2002 Iowa Acts, chapter  
17 33 1167, section 4, 2002 Iowa Acts, chapter 1174, section  
17 34 8, and 2002 Iowa Acts, chapter 1175, section 95, there  
17 35 is transferred from the endowment for Iowa's health  
17 36 account of the tobacco settlement trust fund created  
17 37 in section 12E.12 to the rebuild Iowa infrastructure  
17 38 fund for the fiscal year beginning July 1, 2004, and  
17 39 ending June 30, 2005, the following amount:

17 40 ..... \$ 10,966,960

17 41 Notwithstanding section 8.33, moneys transferred in  
17 42 this section shall not revert.

17 43 Sec. \_\_\_\_ 2003 Iowa Acts, chapter 177, section 23,  
17 44 subsection 3, is amended to read as follows:

17 45 3. Notwithstanding section 8.33, moneys  
17 46 appropriated in this section shall not revert at the  
17 47 close of the fiscal year for which they were  
17 48 appropriated, but shall remain available for the  
17 49 purpose designated until the close of the fiscal year  
17 50 that begins July 1, ~~2008~~ 2006, or until the project  
18 1 for which the appropriation was made is completed,  
18 2 whichever is earlier.

18 3 Sec. \_\_\_\_ 2002 Iowa Acts, chapter 1173, section 1,  
18 4 subsection 7, paragraph a, is amended to read as  
18 5 follows:

18 6 a. For parking improvements and provision of  
18 7 street access for the judicial building:

18 8 FY 2002=2003 .....	\$	700,000
18 9 FY 2003=2004 .....	\$	0
18 10 FY 2004=2005 .....	\$	0
18 11 FY 2005=2006 .....	\$	0

18 12 Of the amount appropriated in this lettered  
18 13 paragraph for FY 2002=2003, up to \$330,000 may be used  
18 14 for costs associated with operation of the judicial  
18 15 building, notwithstanding section 12E.12, subsection  
18 16 1, paragraph "b", subparagraph (1).

18 17 DIVISION \_\_\_\_  
18 18 MISCELLANEOUS FUNDS

18 19 Sec. \_\_\_\_ HELP AMERICA VOTE ACT. There is  
18 20 appropriated from the general fund of the state to the  
18 21 office of the secretary of state for the fiscal year  
18 22 beginning July 1, 2003, and ending June 30, 2004, the  
18 23 following amount, or so much thereof as is necessary,  
18 24 to be used for the purposes designated:

18 25 For the purchase and installation of voting  
18 26 machines to implement the federal Help America Vote  
18 27 Act (HAVA):

18 28 ..... \$ 765,000

18 29 Of the federal funds drawn down pursuant to HAVA,  
18 30 not less than 80 percent shall be distributed to  
18 31 counties for the implementation of that Act.

18 32 The state commissioner of elections shall report to  
18 33 the general assembly regarding the expenditure of the  
18 34 moneys appropriated in this subsection by January 2,  
18 35 2005, and July 1, 2005.

18 36 Notwithstanding section 8.33, moneys appropriated

18 37 in this section that remain unencumbered or  
18 38 unobligated at the close of the fiscal year shall not  
18 39 revert but shall remain available for expenditure for  
18 40 the purposes designated until the close of the  
18 41 succeeding fiscal year.

18 42 Sec. \_\_\_\_ GENERAL FUND APPROPRIATIONS.

18 43 1. There is appropriated from the general fund of  
18 44 the state to the state department of transportation  
18 45 for the fiscal year beginning July 1, 2004, and ending  
18 46 June 30, 2005, the following amounts, or so much  
18 47 thereof as is necessary, to be used for the purposes  
18 48 designated:

18 49 a. For operation and maintenance of the network of  
18 50 automated weather observation and data transfer  
19 1 systems associated with the Iowa aviation weather  
19 2 system, the runway marking program for public  
19 3 airports, the windsock program for public airports,  
19 4 and the aviation improvement program:

19 5 ..... \$ 64,792

19 6 b. For the rail assistance program and to provide  
19 7 economic development project funding:

19 8 ..... \$ 35,959

19 9 2. There is appropriated from the general fund of  
19 10 the state to the racing and gaming commission within  
19 11 the department of inspections and appeals for the  
19 12 fiscal year beginning July 1, 2004, and ending June  
19 13 30, 2005, in addition to any other appropriation made  
19 14 by the general assembly, the following amount, or so  
19 15 much thereof as is necessary, to be used for the  
19 16 purposes designated:

19 17 For salaries, support, maintenance, and  
19 18 miscellaneous purposes for the regulation of pari=  
19 19 mutual racetracks:

19 20 ..... \$ 217,161

19 21 The funds appropriated in this subsection shall be  
19 22 used for one additional gaming representative at each  
19 23 of the three licensed racetracks.

19 24 Sec. \_\_\_\_ PRIMARY ROAD FUND APPROPRIATION. There  
19 25 is appropriated from the primary road fund to the  
19 26 department of administrative services for the fiscal  
19 27 year beginning July 1, 2004, and ending June 30, 2005,  
19 28 the following amount, or so much thereof as is  
19 29 necessary, to be used for distribution to the state  
19 30 department of transportation:

19 31 ..... \$ 465,491

19 32 Moneys appropriated in this section shall be  
19 33 separately accounted for in a distribution account and  
19 34 shall be distributed to the state department of  
19 35 transportation to pay for services provided the state  
19 36 department of transportation by the department of  
19 37 administrative services as described in chapter 8A.

19 38 Sec. \_\_\_\_ ROAD USE TAX FUND APPROPRIATION. There  
19 39 is appropriated from the road use tax fund to the  
19 40 department of administrative services for the fiscal  
19 41 year beginning July 1, 2004, and ending June 30, 2005,  
19 42 the following amount, or so much thereof as is  
19 43 necessary, to be used for distribution to the state  
19 44 department of transportation:

19 45 ..... \$ 76,059

19 46 Moneys appropriated in this section shall be  
19 47 separately accounted for in a distribution account and  
19 48 shall be distributed to the state department of  
19 49 transportation to pay for services provided the state  
19 50 department of transportation by the department of  
20 1 administrative services as described in chapter 8A.

20 2 Sec. \_\_\_\_ TRANSFER AND DEPOSIT OF SURPLUS MONEYS  
20 3 IN LOCAL HOUSING ASSISTANCE PROGRAM FUND. The sum of  
20 4 \$800,000 is transferred from moneys declared by the  
20 5 Iowa finance authority under section 16.10 to be  
20 6 surplus moneys to the housing trust fund created in  
20 7 section 16.181 for the fiscal year beginning July 1,  
20 8 2004, and ending June 30, 2005.

20 9 Sec. \_\_\_\_ 2003 Iowa Acts, chapter 171, section 2,  
20 10 is amended by inserting the following new unnumbered  
20 11 paragraph:

20 12 NEW UNNUMBERED PARAGRAPH. Notwithstanding section  
20 13 8.33, moneys appropriated in subsection 1 that remain  
20 14 unencumbered or unobligated at the close of the fiscal  
20 15 year shall not revert but shall remain available for  
20 16 expenditure until the close of the fiscal year that  
20 17 begins July 1, 2004, for the purpose of restocking the

20 18 department's salt storage.  
20 19 Sec. \_\_\_\_ EFFECTIVE DATE.  
20 20 1. The section of this division of this Act  
20 21 providing an appropriation for implementation of the  
20 22 federal Help America Vote Act, being deemed of  
20 23 immediate importance, takes effect upon enactment.  
20 24 2. The section of this division of this Act,  
20 25 amending 2003 Iowa Acts, chapter 171, section 2, being  
20 26 deemed of immediate importance, takes effect upon  
20 27 enactment.

20 28 DIVISION \_\_\_\_  
20 29 CODE CHANGES

20 30 Sec. \_\_\_\_ Section 15.109, subsection 2, Code 2003,  
20 31 is amended to read as follows:  
20 32 2. Apply for, receive, administer, and use federal  
20 33 or other funds available for achieving the purposes of  
20 34 this chapter. For purposes of this subsection, the  
20 35 term "federal funds" includes federal tax credits,  
20 36 grants, or other economic benefits allocated or  
20 37 provided by the United States government to encourage  
20 38 investment in low-income or other specified areas or  
20 39 to otherwise promote economic development. The  
20 40 department may enter into an agreement pursuant to  
20 41 chapter 28E, or any other agreement, with a person,  
20 42 including for-profit and nonprofit legal entities, in  
20 43 order to directly or indirectly apply for, receive,  
20 44 administer, and use federal funds. As part of such  
20 45 agreements and in furtherance of this public purpose  
20 46 and in addition to powers and duties conferred under  
20 47 other provisions of law, the department may, including  
20 48 for or on behalf of for-profit or nonprofit legal  
20 49 entities, appoint, remove, and replace board members  
20 50 and advisors; provide oversight; make its personnel  
21 1 and resources available to perform administrative,  
21 2 management, and compliance functions; coordinate  
21 3 investments; and engage in other acts as reasonable  
21 4 and necessary to encourage investment in low-income or  
21 5 other areas or to promote economic development. The  
21 6 department, including department officials and  
21 7 employees in their official and personal capacities,  
21 8 are immune from liability for all acts or omissions  
21 9 under this subsection.

21 10 Sec. \_\_\_\_ Section 80.9, subsection 2, paragraph f,  
21 11 Code 2003, is amended to read as follows:  
21 12 f. Provide protection and security for persons and  
21 13 property on the grounds of the state capitol complex.  
21 14 Notwithstanding chapter 8A or any other provision of  
21 15 law, the department shall be solely responsible for  
21 16 the purchase, installation, and maintenance of,  
21 17 including making any improvements or additions to,  
21 18 executive branch capitol complex security systems or  
21 19 equipment, including the changing of locks and  
21 20 issuance of keys, access cards, and identification  
21 21 badges. The department of administrative services  
21 22 shall cooperate with the department of public safety  
21 23 in executing the department's duties under this  
21 24 paragraph.

21 25 Sec. \_\_\_\_ Section 423.3, subsections 2 and 37, as  
21 26 enacted by 2003 Iowa Acts, First Extraordinary  
21 27 Session, chapter 2, section 96, are amended to read as  
21 28 follows:

21 29 2. The sales price of sales for resale of tangible  
21 30 personal property or taxable services, or for resale  
21 31 of tangible personal property in connection with the  
21 32 furnishing of taxable services except for sales, other  
21 33 than leases or rentals, which are sales, of machinery,  
21 34 equipment, attachments, and replacement parts  
21 35 specifically enumerated in subsection 37 and used in  
21 36 the manner described in subsection 37.

21 37 37. The sales price of services on or connected  
21 38 with new construction, reconstruction, alteration,  
21 39 expansion, remodeling, or the services of a general  
21 40 building contractor, architect, or engineer. The  
21 41 exemption in this subsection also applies to the sales  
21 42 price on the lease or rental of self-propelled  
21 43 building equipment, self-constructed cranes, pile  
21 44 drivers, structural concrete forms, regular and  
21 45 motorized scaffolding, generators, or attachments  
21 46 customarily drawn or attached to self-propelled  
21 47 building equipment, self-constructed cranes, pile  
21 48 drivers, structural concrete forms, regular and

21 49 motorized scaffolding, and generators, including  
21 50 auxiliary attachments which improve the performance,  
22 1 safety, operation, or efficiency of the equipment and  
22 2 replacement parts and are directly and primarily used  
22 3 by contractors, subcontractors, and builders for new  
22 4 construction, reconstruction, alterations, expansion,  
22 5 or remodeling of real property or structures.

DIVISION \_\_\_\_

MISCELLANEOUS PROVISIONS

22 8 Sec. \_\_\_\_ Section 8.57, subsection 5, Code  
22 9 Supplement 2003, is amended by adding the following  
22 10 new paragraph:

22 11 NEW PARAGRAPH. g. Notwithstanding any other  
22 12 provision to the contrary, and prior to the  
22 13 appropriation of moneys from the rebuild Iowa  
22 14 infrastructure fund pursuant to paragraph "c", and  
22 15 section 8.57A, subsection 4, moneys shall first be  
22 16 appropriated from the rebuild Iowa infrastructure fund  
22 17 to the vertical infrastructure fund as provided in  
22 18 section 8.57B, subsection 4.

22 19 Sec. \_\_\_\_ NEW SECTION. 8.57B VERTICAL  
22 20 INFRASTRUCTURE FUND.

22 21 1. A vertical infrastructure fund is created under  
22 22 the authority of the department of management. The  
22 23 fund shall consist of appropriations made to the fund  
22 24 and transfers of interest, earnings, and moneys from  
22 25 other funds as provided by law. The fund shall be  
22 26 separate from the general fund of the state and the  
22 27 balance in the fund shall not be considered part of  
22 28 the balance of the general fund of the state.  
22 29 However, the fund shall be considered a special  
22 30 account for the purposes of section 8.53, relating to  
22 31 generally accepted accounting principles.

22 32 2. Notwithstanding section 12C.7, subsection 2,  
22 33 interest or earnings on moneys in the vertical  
22 34 infrastructure fund shall be credited to the rebuild  
22 35 Iowa infrastructure fund.

22 36 3. Moneys in the fund in a fiscal year shall be  
22 37 used as appropriated by the general assembly for  
22 38 public vertical infrastructure projects. For the  
22 39 purposes of this section, "vertical infrastructure"  
22 40 includes only land acquisition and construction, major  
22 41 renovation, and major repair of buildings, all  
22 42 appurtenant structures, utilities, and site  
22 43 development. "Vertical infrastructure" does not  
22 44 include routine, recurring maintenance, debt service,  
22 45 or operational expenses or leasing of a building,  
22 46 appurtenant structure, or utility without a lease=  
22 47 purchase agreement.

22 48 4. There is appropriated from the rebuild Iowa  
22 49 infrastructure fund to the vertical infrastructure  
22 50 fund, the following:

23 1 a. For the fiscal year beginning July 1, 2005, and  
23 2 ending June 30, 2006, the sum of fifteen million  
23 3 dollars.

23 4 b. For the fiscal year beginning July 1, 2006, and  
23 5 ending June 30, 2007, the sum of fifty million  
23 6 dollars.

23 7 c. For the fiscal year beginning July 1, 2007, and  
23 8 ending June 30, 2008, the sum of seventy-five million  
23 9 dollars.

23 10 d. For the fiscal year beginning July 1, 2008, and  
23 11 each fiscal year thereafter, the sum of one hundred  
23 12 million dollars.

23 13 Sec. \_\_\_\_ Section 8D.13, subsection 12, Code  
23 14 Supplement 2003, is amended to read as follows:

23 15 12. The commission, on its own or as recommended  
23 16 by an advisory committee of the commission and  
23 17 approved by the commission, shall permit a fee to be  
23 18 charged by a receiving site to the originator of the  
23 19 communication provided on the network. The fee  
23 20 charged shall be for the purpose of recovering the  
23 21 operating costs of a receiving site. The fee charged  
23 22 shall be reduced by an amount received by the  
23 23 receiving site pursuant to a state appropriation for  
23 24 such costs, or federal assistance received for such  
23 25 costs. Fees established under this subsection shall  
23 26 be paid by the originator of the communication  
23 27 directly to the receiving site. In the event that an  
23 28 entity requests a receiving site location in a video  
23 29 classroom facility which is authorized by, but not

23 30 funded by, the originator of the communication, the  
23 31 requesting entity shall be directly billed by the  
23 32 video classroom facility for operating costs relating  
23 33 to the communication. For purposes of this section,  
23 34 "operating costs" include the costs associated with  
23 35 the management or coordination, operations, utilities,  
23 36 classroom, equipment, maintenance, and other costs  
23 37 directly related to providing the receiving site.  
23 38 Sec. \_\_\_\_\_. Section 15E.208, subsection 3, paragraph  
23 39 b, subparagraph (2), Code Supplement 2003, is amended  
23 40 by adding the following new subparagraph subdivisions:  
23 41 NEW SUBPARAGRAPH SUBDIVISION. (c) Notwithstanding  
23 42 any provision of this division to the contrary,  
23 43 payments on the principal balance of the loan granted  
23 44 by the corporation to an eligible person and assigned  
23 45 to the department pursuant to this subparagraph during  
23 46 calendar year 2003 shall be deferred until October 1,  
23 47 2007. The eligible person shall make principal  
23 48 payments to the department in the amount of one  
23 49 million dollars for each year on October 1, 2007,  
23 50 October 1, 2008, and October 1, 2009. The eligible  
24 1 person shall pay the department four hundred eighty=  
24 2 two thousand seven hundred sixty-one dollars in  
24 3 interest, which shall be deemed to be the total amount  
24 4 of interest accruing on the principal amount of the  
24 5 loan. The eligible person shall pay the interest  
24 6 amount on October 1, 2010. Upon the payment of the  
24 7 principal balance of the loan and the accrued  
24 8 interest, the debt shall be retired.  
24 9 NEW SUBPARAGRAPH SUBDIVISION. (d) Notwithstanding  
24 10 any provision of this division to the contrary, the  
24 11 corporation shall repay the department the principal  
24 12 balance of the Iowa agricultural industry finance loan  
24 13 beginning on October 1, 2007. The principal balance  
24 14 of the loan equals twenty-one million five hundred  
24 15 seventeen thousand two hundred thirty-nine dollars.  
24 16 The corporation shall repay the department five  
24 17 hundred seventeen thousand two hundred thirty-nine  
24 18 dollars by October 1, 2007, and for each subsequent  
24 19 year the corporation shall repay the department at  
24 20 least one million dollars by October 1 until the total  
24 21 principal balance of the loan is repaid. This  
24 22 subparagraph subdivision shall not be construed to  
24 23 limit the department's authority to negotiate the  
24 24 payment of interest accruing on the principal balance  
24 25 which shall be paid to the department as provided by  
24 26 an agreement executed by the department and the  
24 27 corporation.  
24 28 Sec. \_\_\_\_\_. Section 28M.1, if enacted by 2004 Iowa  
24 29 Acts, Senate File 2284, section 1, is amended by  
24 30 adding the following new subsection:  
24 31 NEW SUBSECTION. 3. "Transportation" means the  
24 32 movement of individuals in a four or more wheeled  
24 33 motorized vehicle designed to carry passengers,  
24 34 including a car, van, or bus, or the carrying of  
24 35 individuals upon cars operated upon stationary rails,  
24 36 between one geographic point and another geographic  
24 37 point. "Transportation" does not include emergency or  
24 38 incidental transportation or transportation conducted  
24 39 by the department of human services at its  
24 40 institutions.  
24 41 Sec. \_\_\_\_\_. Section 28M.2, subsections 1 and 3, if  
24 42 enacted by 2004 Iowa Acts, Senate File 2284, section  
24 43 2, are amended to read as follows:  
24 44 1. A county with a population in excess of ~~three~~  
24 45 one hundred seventy-five thousand and participating  
24 46 cities may create, by chapter 28E agreement, a  
24 47 regional transit district in the county pursuant to  
24 48 this chapter. Two or more contiguous counties and  
24 49 participating cities may create, by chapter 28E  
24 50 agreement, a regional transit district pursuant to  
25 1 this chapter if one of the counties has a population  
25 2 in excess of ~~three one~~ one hundred seventy-five thousand.  
25 3 A district shall consist of the unincorporated area of  
25 4 any participating county and the incorporated area of  
25 5 any city in the county that does not have an urban  
25 6 transit system. However, a city without an urban  
25 7 transit system may decline, by resolution forwarded to  
25 8 the board of supervisors, to participate in a regional  
25 9 transit district.  
25 10 3. A city that is located in a nonparticipating

25 11 county that is contiguous to a county with a  
25 12 population in excess of ~~three one hundred seventy-five~~  
25 13 thousand that is creating a regional transit district  
25 14 may notify that county, by resolution forwarded to the  
25 15 board of supervisors of that county, that the city  
25 16 wishes to participate.

25 17 Sec. \_\_\_\_\_. Section 28M.5, subsection 1, unnumbered  
25 18 paragraph 2, if enacted by 2004 Iowa Acts, Senate File  
25 19 2284, section 5, is amended to read as follows:

25 20 The amount of the regional transit district levy  
25 21 that is the responsibility of a participating county  
25 22 shall be deducted from the maximum rates of taxes  
25 23 authorized to be levied by the county pursuant to  
25 24 section 331.423, subsections 1 and 2, as applicable.  
25 25 However, for a regional transit district that includes  
25 26 a county with a population of less than three hundred  
25 27 thousand, the amount of the regional transit district  
25 28 levy that is the responsibility of a participating  
25 29 county shall be deducted from the maximum rate of  
25 30 taxes authorized to be levied by the county pursuant  
25 31 to section 331.423, subsection 1.

25 32 Sec. \_\_\_\_\_. Section 99F.7, subsection 13, Code 2003,  
25 33 as amended by 2004 Iowa Acts, House File 2302, if  
25 34 enacted, is amended to read as follows:

25 35 13. ~~An~~ When applicable, an excursion gambling boat  
25 36 operated on inland waters of this state or an  
25 37 excursion boat that has been removed from navigation  
25 38 and is designated as a permanently moored vessel by  
25 39 the United States coast guard shall be subject to the  
25 40 exclusive jurisdiction of the department of natural  
25 41 resources and meet all of the requirements of chapter  
25 42 462A and is further subject to an inspection of its  
25 43 sanitary facilities to protect the environment and  
25 44 water quality before a certificate of registration is  
25 45 issued by the department of natural resources or a  
25 46 license is issued or renewed under this chapter.

25 47 Sec. \_\_\_\_\_. Section 165B.5, subsection 3, if enacted  
25 48 by 2004 Iowa Acts, House File 2476, section 6, is  
25 49 amended to read as follows:

25 50 3. a. A person who owns or operates a restricted  
26 1 concentration point is subject to a civil penalty of  
26 2 ~~not less than~~ five thousand dollars for the first  
26 3 violation and ~~not less than~~ twenty-five thousand  
26 4 dollars for each subsequent violation. Each day that  
26 5 a violation continues constitutes a separate  
26 6 violation.

26 7 b. A person who has a legal interest in infected  
26 8 poultry or has custody of infected poultry which are  
26 9 located at a restricted concentration point is subject  
26 10 to a civil penalty of ~~not less than~~ five thousand  
26 11 dollars for the first violation and ~~not less than~~  
26 12 twenty-five thousand dollars for each subsequent  
26 13 violation. Each day that a violation continues  
26 14 constitutes a separate violation.

26 15 c. A person who transports poultry to or from a  
26 16 restricted concentration point is subject to a civil  
26 17 penalty of ~~not less than~~ one thousand dollars for the  
26 18 first violation and ~~not less than~~ five thousand  
26 19 dollars for each subsequent violation. Each day that  
26 20 a violation continues constitutes a separate  
26 21 violation.

26 22 d. A person who purchases, offers to purchase,  
26 23 barter, or offers to barter for poultry at a  
26 24 restricted concentration point is subject to a civil  
26 25 penalty of ~~not less than~~ one hundred dollars for the  
26 26 first violation and ~~not less than~~ one thousand dollars  
26 27 for each subsequent violation. Each day that a  
26 28 violation continues constitutes a separate violation.

26 29 e. A person who charges admission for entry into a  
26 30 restricted concentration point where a contest occurs  
26 31 or otherwise holds, advertises, or conducts the  
26 32 contest is subject to a civil penalty of ~~not less than~~  
26 33 one thousand dollars for the first violation and ~~not~~  
26 34 ~~less than~~ five thousand dollars for each subsequent  
26 35 violation. Each day that a violation continues  
26 36 constitutes a separate violation.

26 37 f. A person who attends or participates in a  
26 38 contest at a restricted concentration point where a  
26 39 contest occurs is subject to a civil penalty of ~~not~~  
26 40 ~~less than~~ one hundred dollars for the first violation  
26 41 and ~~not less than~~ one thousand dollars for each

26 42 subsequent violation. Each day that a violation  
26 43 continues constitutes a separate violation.  
26 44 Sec. \_\_\_\_\_. Section 260C.18A, subsection 3, Code  
26 45 Supplement 2003, is amended to read as follows:  
26 46 3. Of the moneys appropriated in this section, for  
26 47 the fiscal period beginning July 1, 2003, and ending  
26 48 June 30, ~~2006~~ 2007, the following amounts shall be  
26 49 designated for the purposes of funding job retention  
26 50 projects under section 260F.9:

- 27 1 a. One million dollars for the fiscal year
- 27 2 beginning July 1, 2003.
- 27 3 b. One million dollars for the fiscal year
- 27 4 beginning July 1, 2004.
- 27 5 c. One million dollars for the fiscal year
- 27 6 beginning July 1, 2005.
- 27 7 d. One million dollars for the fiscal year
- 27 8 beginning July 1, 2006. However, this paragraph only
- 27 9 applies if moneys allocated under paragraph "a" were
- 27 10 distributed to community colleges as provided under
- 27 11 subsection 8.

27 12 Sec. \_\_\_\_\_. Section 260C.18A, Code Supplement 2003,  
27 13 is amended by adding the following new subsection:  
27 14 NEW SUBSECTION. 8. If moneys allocated under  
27 15 subsection 3, paragraph "a", are unobligated and  
27 16 unencumbered on June 30, 2004, those moneys shall be  
27 17 distributed to community colleges in accordance with  
27 18 subsection 5 for the fiscal year beginning July 1,  
27 19 2004, and ending June 30, 2005.

27 20 Sec. \_\_\_\_\_. Section 306.46, as enacted by 2004 Iowa  
27 21 Acts, Senate File 2118, section 1, is amended by  
27 22 adding the following new subsection:

27 23 NEW SUBSECTION. 3. This section shall not impair  
27 24 or interfere with a city's authority to grant, amend,  
27 25 extend, or renew a franchise as provided in section  
27 26 364.2, and shall not impair or interfere with a city's  
27 27 existing general police powers to control the use of  
27 28 its right-of-way.

27 29 Sec. \_\_\_\_\_. Section 321.34, subsection 11,  
27 30 paragraphs c and d, Code Supplement 2003, are amended  
27 31 to read as follows:

27 32 c. The special natural resources fee for letter  
27 33 number designated natural resources plates is ~~thirty=~~  
27 34 ~~five forty=~~ forty= five dollars. The fee for personalized  
27 35 natural resources plates is ~~forty=~~ forty= five dollars which  
27 36 shall be paid in addition to the special natural  
27 37 resources fee of ~~thirty=~~ forty= five dollars. The  
27 38 fees collected by the director under this subsection  
27 39 shall be paid monthly to the treasurer of state and  
27 40 credited to the road use tax fund. Notwithstanding  
27 41 section 423.24, and prior to the crediting of revenues  
27 42 to the road use tax fund under section 423.24,  
27 43 subsection 1, paragraph "b", the treasurer of state  
27 44 shall credit monthly from those revenues to the Iowa  
27 45 resources enhancement and protection fund created  
27 46 pursuant to section 455A.18, the amount of the special  
27 47 natural resources fees collected in the previous month  
27 48 for the natural resources plates.

27 49 From the moneys credited to the Iowa resources  
27 50 enhancement and protection fund under this paragraph  
28 1 "c", ten dollars of the fee collected for each natural  
28 2 resources plate issued, and fifteen dollars from each  
28 3 renewal fee, shall be allocated to the department of  
28 4 natural resources wildlife bureau to be used for  
28 5 nongame wildlife programs.

28 6 d. Upon receipt of the special registration  
28 7 plates, the applicant shall surrender the current  
28 8 registration receipt and plates to the county  
28 9 treasurer. The county treasurer shall validate the  
28 10 special registration plates in the same manner as  
28 11 regular registration plates are validated under this  
28 12 section. The annual special natural resources fee for  
28 13 letter number designated plates is ~~ten~~ twenty= five  
28 14 dollars which shall be paid in addition to the regular  
28 15 annual registration fee. The annual fee for  
28 16 personalized natural resources plates is five dollars  
28 17 which shall be paid in addition to the annual special  
28 18 natural resources fee and the regular annual  
28 19 registration fee. The annual special natural  
28 20 resources fee shall be credited as provided under  
28 21 paragraph "c".

28 22 Sec. \_\_\_\_\_. NEW SECTION. 327F.38 FIRST AID AND

28 23 MEDICAL TREATMENT FOR EMPLOYEES.

28 24 The department shall adopt rules requiring railroad  
28 25 corporations within the state to provide reasonable  
28 26 and adequate access to first aid and medical treatment  
28 27 for employees injured in the course of employment. A  
28 28 railroad corporation found guilty of a rule adopted  
28 29 pursuant to this section shall, upon conviction, be  
28 30 subject to a schedule "one" penalty.

28 31 Sec. \_\_\_\_\_. Section 331.362, subsection 5, Code  
28 32 Supplement 2003, is amended to read as follows:

28 33 5. ~~The Notwithstanding any provision of law to the~~  
28 34 ~~contrary, the board may enter into agreements with the~~  
28 35 ~~department of transportation as provided in section~~  
28 36 ~~313.2, including but not limited to agreements for the~~  
28 37 ~~disposition of county property in accordance with~~  
28 38 ~~section 331.361, subsection 2.~~

28 39 Sec. \_\_\_\_\_. Section 422.11J, subsection 5, paragraph  
28 40 a, if enacted by 2004 Iowa Acts, Senate File 2295, is  
28 41 amended to read as follows:

28 42 a. "Disabled student" means a child requiring  
28 43 special education, as defined in section 256B.2,  
28 44 subsection 1, ~~or a student with disabilities who~~  
28 45 ~~qualifies for educational services under section 504~~  
28 46 ~~of the federal Rehabilitation Act of 1973, as amended~~  
28 47 ~~and codified in 29 U.S.C. } 794.~~

28 48 Sec. \_\_\_\_\_. 2004 Iowa Acts, Senate File 2257,  
28 49 section 1, subsection 10, if enacted, is amended to  
28 50 read as follows:

29 1 10. APPLICABILITY DATE. This section applies to  
29 2 personal insurance contracts or policies delivered,  
29 3 issued for delivery, continued, or renewed in this  
29 4 state on or after ~~April 1, 2005~~ October 1, 2004.

29 5 Sec. \_\_\_\_\_. 2003 Iowa Acts, chapter 145, section  
29 6 290, subsection 2, paragraph c, is amended to read as  
29 7 follows:

29 8 c. By ~~September~~ December 1, 2004, the department  
29 9 of administrative services, with the assistance of the  
29 10 department of management, shall conduct a  
29 11 comprehensive study of the impact of transferring all  
29 12 state agency employees delivering information  
29 13 technology services to the department of  
29 14 administrative services and of the impact of  
29 15 physically merging the data centers of the department,  
29 16 the state department of transportation, and the  
29 17 department of workforce development, into one data  
29 18 center. The study shall include an assessment of  
29 19 advantages and disadvantages, economies of scale,  
29 20 cost, and space availability, and shall solicit input  
29 21 from outside vendors, both public and private. The  
29 22 department shall report to the legislative ~~fiscal~~  
29 23 ~~bureau services agency~~ and the committees on  
29 24 government oversight of the senate and house of  
29 25 representatives on the department's findings and  
29 26 recommendations by ~~November 1, 2004~~ December 15, 2004.

29 27 Sec. \_\_\_\_\_. 2004 Iowa Acts, House File 2562, section  
29 28 11, subsection 1, if enacted, is amended to read as  
29 29 follows:

29 30 1. This Act, ~~except for the provision of this Act~~  
29 31 ~~enacting section 99B.10, subsection 5B, being deemed~~  
29 32 ~~of immediate importance, takes effect upon enactment.~~

29 33 Sec. \_\_\_\_\_. MENTAL HEALTH INSTITUTE AT CHEROKEE. If  
29 34 building space located at the state mental health  
29 35 institute at Cherokee being used by an organization  
29 36 other than the state will be vacated by the  
29 37 organization, the department of human services shall  
29 38 reserve the space to be available for the purposes  
29 39 described in this section. The department shall  
29 40 develop a plan for using vacant building space at the  
29 41 institute for a program to address the treatment needs  
29 42 of persons with a developmental disability who exhibit  
29 43 sexually violent behavior and are residents at state  
29 44 resource centers or other residential settings.

29 45 Sec. \_\_\_\_\_. EFFECTIVE DATE. The sections of this  
29 46 division of this Act amending section 260C.18A, Code  
29 47 Supplement 2003, being deemed of immediate importance,  
29 48 take effect upon enactment.

29 49 Sec. \_\_\_\_\_. EFFECTIVE DATE. The section of this  
29 50 division of this Act amending section 306.46, being  
30 1 deemed of immediate importance, takes effect upon  
30 2 enactment.

30 3 Sec. \_\_\_\_\_. REAP PLATES == EFFECTIVE DATE. The

30 4 section of this division of this Act amending section  
30 5 321.34, subsection 11, paragraphs "c" and "d", takes  
30 6 effect January 1, 2005.

30 7 DIVISION \_\_\_\_  
30 8 CORRECTIVE PROVISIONS

30 9 Sec. \_\_\_\_\_. Section 9E.6A, unnumbered paragraph 1,  
30 10 Code 2003, as amended by 2004 Iowa Acts, House File  
30 11 2516, section 1, if enacted, is amended to read as  
30 12 follows:

30 13 Each person performing a notarial act pursuant to  
30 14 section 9E.10 must acquire and use a stamp or seal as  
30 15 provided in this chapter. However, this section shall  
30 16 not apply to a notarial act performed by a judicial  
30 17 officer as defined in section 602.1101, if the  
30 18 notarial act is performed in accordance with state or  
30 19 federal statutory authority, ~~or is and shall not apply~~  
30 20 ~~to a certification by a chief officer or a chief~~  
30 21 ~~officer's designee of a peace officer's verification~~  
30 22 ~~of a uniform citation and complaint pursuant to~~  
30 23 ~~section 805.6, subsection 5.~~

30 24 Sec. \_\_\_\_\_. Section 9H.1, subsection 17, Code  
30 25 Supplement 2003, is amended to read as follows:

30 26 17. "Limited partnership" means a limited  
30 27 ~~partnership as defined in section 487.101, subsection~~  
30 28 ~~7, and or 488.102, or a limited liability limited~~  
30 29 ~~partnership under section 487.1301 or chapter 488,~~  
30 30 ~~which owns or leases agricultural land or is engaged~~  
30 31 ~~in farming.~~

30 32 Sec. \_\_\_\_\_. Section 9H.1, subsection 17, Code  
30 33 Supplement 2003, as amended by this division of this  
30 34 Act to take effect January 1, 2005, is amended to read  
30 35 as follows:

30 36 17. "Limited partnership" means a limited  
30 37 partnership as defined in section ~~487.101 or~~ 488.102,  
30 38 or a limited liability limited partnership under  
30 39 ~~section 487.1301 or~~ chapter 488, which owns or leases  
30 40 agricultural land or is engaged in farming.

30 41 Sec. \_\_\_\_\_. Section 10B.1, subsection 8, Code  
30 42 Supplement 2003, is amended to read as follows:

30 43 8. "Limited partnership" means a foreign or  
30 44 domestic limited partnership, including a limited  
30 45 partnership as defined in section 487.101, ~~subsection~~  
30 46 ~~7 or 488.102,~~ and a domestic or foreign limited  
30 47 liability limited partnership under section 487.1301  
30 48 or 487.1303, ~~or chapter 488.~~

30 49 Sec. \_\_\_\_\_. Section 10B.1, subsection 8, Code  
30 50 Supplement 2003, as amended by this division of this  
31 1 Act to take effect January 1, 2005, is amended to read  
31 2 as follows:

31 3 8. "Limited partnership" means a foreign or  
31 4 domestic limited partnership, including a limited  
31 5 partnership as defined in section ~~487.101 or~~ 488.102,  
31 6 and a domestic or foreign limited liability limited  
31 7 partnership under ~~section 487.1301 or 487.1303, or~~  
31 8 ~~chapter 488.~~

31 9 Sec. \_\_\_\_\_. Section 34A.7A, subsection 2, paragraph  
31 10 f, if enacted by 2004 Iowa Acts, House File 2434, is  
31 11 amended by striking the paragraph and inserting in  
31 12 lieu thereof the following:

31 13 f. (1) The program manager shall allocate an  
31 14 amount up to one hundred twenty-seven thousand dollars  
31 15 per calendar quarter equally to the joint E911 service  
31 16 boards and the department of public safety that have  
31 17 submitted an annual written request to the program  
31 18 manager in a form approved by the program manager by  
31 19 May 15 of each year.

31 20 (2) Upon retirement of outstanding obligations  
31 21 referred to in paragraph "e", the amount allocated  
31 22 under this paragraph "f" shall be an amount up to four  
31 23 hundred thousand dollars per calendar quarter  
31 24 allocated as follows:

31 25 (a) Sixty-five percent of the total dollars  
31 26 available for allocation shall be allocated in  
31 27 proportion to the square miles of the service area to  
31 28 the total square miles in this state.

31 29 (b) Thirty-five percent of the total dollars  
31 30 available for allocation shall be allocated in  
31 31 proportion to the wireless E911 calls taken at the  
31 32 public safety answering point in the service area to  
31 33 the total number of wireless E911 calls originating in  
31 34 this state.

31 35 (c) Notwithstanding subparagraph subdivisions (a)  
31 36 and (b), the minimum amount allocated to each joint  
31 37 E911 service board and to the department of public  
31 38 safety shall be no less than one thousand dollars for  
31 39 each public safety answering point within the service  
31 40 area of the department of public safety or joint E911  
31 41 service board.

31 42 (3) The funds allocated in this paragraph "f"  
31 43 shall be used for communication equipment located  
31 44 inside the public safety answering points for the  
31 45 implementation and maintenance of wireless E911 phase  
31 46 2. The joint E911 service boards and the department  
31 47 of public safety shall provide an estimate of phase 2  
31 48 implementation costs to the program manager by January  
31 49 1, 2005.

31 50 Sec. \_\_\_\_\_. Section 48A.11, subsection 1, paragraph  
32 1 e, Code 2003, as amended by 2004 Iowa Acts, Senate  
32 2 File 2269, section 8, if enacted, is amended to read  
32 3 as follows:

32 4 e. Iowa driver's license number if the registrant  
32 5 has a current and valid Iowa driver's license, Iowa  
32 6 nonoperator's identification card if the registrant  
32 7 has a current and valid Iowa nonoperator's  
32 8 identification card, or the last four numerals of the  
32 9 registrant's social security number. If the  
32 10 registrant does not have an Iowa driver's license  
32 11 number, an Iowa nonoperator's identification card  
32 12 number, or a social security number, the form shall  
32 13 provide space for a number to be assigned as provided  
32 14 in subsection 7.

32 15 Sec. \_\_\_\_\_. Section 48A.25A, unnumbered paragraph 1,  
32 16 if enacted by 2004 Iowa Acts, Senate File 2269,  
32 17 section 13, is amended to read as follows:.

32 18 Upon receipt of an application for voter  
32 19 registration by mail, the state registrar of voters  
32 20 shall compare the driver's license number, the Iowa  
32 21 nonoperator's identification card number, or the last  
32 22 four numerals of the social security number provided  
32 23 by the registrant with the records of the state  
32 24 department of transportation. To be verified, the  
32 25 voter registration record shall contain the same name,  
32 26 date of birth, and driver's license number or Iowa  
32 27 nonoperator's identification card number or whole or  
32 28 partial social security number as the records of the  
32 29 department of transportation. If the information  
32 30 cannot be verified, the application shall be rejected  
32 31 and the registrant shall be notified of the reason for  
32 32 the rejection. If the information can be verified, a  
32 33 record shall be made of the verification and the  
32 34 application shall be accepted.

32 35 Sec. \_\_\_\_\_. Section 48A.37, subsection 2, Code 2003,  
32 36 as amended by 2004 Iowa Acts, Senate File 2269,  
32 37 section 18, if enacted, is amended to read as follows:

32 38 2. Electronic records shall include a status code  
32 39 designating whether the records are active, inactive,  
32 40 local, or pending. Inactive records are records of  
32 41 registered voters to whom notices have been sent  
32 42 pursuant to section 48A.28, subsection 3, and who have  
32 43 not returned the card or otherwise responded to the  
32 44 notice, and those records have been designated  
32 45 inactive pursuant to section 48A.29. Local records  
32 46 are records of applicants who did not answer either  
32 47 "yes" or "no" to the question in section 48A.11,  
32 48 subsection 2A, paragraph "a". Pending records are  
32 49 records of applicants whose applications have not been  
32 50 verified pursuant to section 48A.25A. All other  
33 1 records are active records. An inactive record shall  
33 2 be made active when the registered voter votes at an  
33 3 election, registers again, or reports a change of  
33 4 name, address, telephone number, or political party  
33 5 affiliation. A pending record shall be made active  
33 6 upon verification. A local record shall be valid for  
33 7 any election for which no candidates for federal  
33 8 office appear on the ballot, ~~but the~~. A registrant  
33 9 may with only a local record shall not vote in a  
33 10 federal election unless the registrant submits a new  
33 11 voter registration application before election day  
33 12 indicating that the applicant is a citizen of the  
33 13 United States.

33 14 Sec. \_\_\_\_\_. Section 49.81, subsection 2, unnumbered  
33 15 paragraph 3, if enacted by 2004 Iowa Acts, Senate File

33 16 2269, section 20, is amended to read as follows:  
33 17 You must show identification before your ballot can  
33 18 be counted. Please bring or mail a copy of a current  
33 19 and valid photo identification card to the county  
33 20 ~~commissioners~~ commissioner's office or bring or mail a  
33 21 copy of one of the following current documents that  
33 22 show your name and address:  
33 23 Sec. \_\_\_\_\_. Section 52.7, unnumbered paragraph 4,  
33 24 Code 2003, as amended by 2004 Iowa Acts, Senate File  
33 25 2269, section 27, if enacted, is amended to read as  
33 26 follows:  
33 27 Such machine shall be so constructed as to  
33 28 accurately account for every vote cast upon it. The  
33 29 machine shall be so constructed as to remove  
33 30 information from the ballot identifying the voter  
33 31 before the ballot is recorded and counted. If the  
33 32 machine is a direct ~~electronic~~ recording electronic  
33 33 device, the machine shall be so constructed as to  
33 34 store each ballot cast separate from the ballot  
33 35 tabulation function, which ballot may be reproduced on  
33 36 paper in the case of a recount, manual audit, or  
33 37 machine malfunction.  
33 38 Sec. \_\_\_\_\_. Section 53.3, subsection 7, if enacted  
33 39 by 2004 Iowa Acts, Senate File 2269, section 30, is  
33 40 amended to read as follows:  
33 41 7. A statement that an absentee ballot will ~~by~~ be  
33 42 mailed to the applicant within twenty-four hours after  
33 43 the ballot for the election is available.  
33 44 Sec. \_\_\_\_\_. Section 53.17, subsection 1, paragraph  
33 45 a, if enacted by 2004 Iowa Acts, Senate File 2269,  
33 46 section 33, is amended to read as follows:  
33 47 a. The sealed carrier envelope may be delivered by  
33 48 the registered voter, by the special precinct election  
33 49 officials designated pursuant to section 53.22,  
33 50 subsection 1, or by the voter's designee if the  
34 1 absentee ballot is voted by a voter described in  
34 2 section 53.22, subsection 5, to the commissioner's  
34 3 office no later than the time the polls are closed on  
34 4 election day, ~~except as otherwise provided in~~  
~~34 5 subsection 4.~~  
34 6 Sec. \_\_\_\_\_. Section 53.17, subsection 4, paragraph  
34 7 d, subparagraph (2), if enacted by 2004 Iowa Acts,  
34 8 Senate File 2269, section 33, is amended to read as  
34 9 follows:  
34 10 (2) The date and time the ~~voted~~ completed absentee  
34 11 ballot was received from the voter.  
34 12 Sec. \_\_\_\_\_. Section 68A.402, subsection 7, paragraph  
34 13 b, as amended by 2004 Iowa Acts, House File 2319,  
34 14 section 1, if enacted, is amended to read as follows:  
34 15 b. COUNTY ELECTIONS. A political committee  
34 16 expressly advocating the nomination, election, or  
34 17 defeat of candidates for county office shall file  
34 18 reports on the same dates as a candidate's committee  
34 19 is required to file reports under subsection 2,  
34 20 paragraph "a" and subsection 5, paragraph "b".  
34 21 Sec. \_\_\_\_\_. Section 68A.503, subsection 4,  
34 22 unnumbered paragraph 1, as amended by 2004 Iowa Acts,  
34 23 House File 2318, section 7, if enacted, is amended to  
34 24 read as follows:  
34 25 The prohibitions in ~~sections~~ subsections 1 and 2  
34 26 shall not apply to an insurance company, savings and  
34 27 loan association, bank, credit union, or corporation  
34 28 engaged in any of the following activities:  
34 29 Sec. \_\_\_\_\_. Section 99B.11, subsection 2, paragraph  
34 30 c, Code 2003, as amended by 2004 Iowa Acts, Senate  
34 31 File 2249, section 1, is amended to read as follows:  
34 32 c. Contests or exhibitions of cooking,  
34 33 horticulture, livestock, poultry, fish or other  
34 34 animals, artwork, hobbywork or craftwork, except those  
34 35 prohibited by chapter 717A ~~or section 725.11~~.  
34 36 Sec. \_\_\_\_\_. Section 174.1, subsection 0B, paragraph  
34 37 a, as enacted by House File 2403, section 8, is  
34 38 amended to read as follows:  
34 39 a. The organization owns or leases at least ten  
34 40 acres of fairgrounds. ~~A society~~ An organization may  
34 41 meet the requirement of owning or leasing land,  
34 42 buildings, and improvements through ownership by a  
34 43 joint entity under chapter 28E.  
34 44 Sec. \_\_\_\_\_. Section 174.12, subsection 2, unnumbered  
34 45 paragraph 1, Code 2003, as amended by 2004 Iowa Acts,  
34 46 House File 2403, section 16, is amended to read as

34 47 follows:

34 48 A district director of the association representing  
34 49 the district in which the county is located, and the  
34 50 director of the Iowa state fair board representing the  
35 1 state fair board district in which the county is  
35 2 located, certify to the association that the fair had  
35 3 an accredited delegate in attendance at at least one  
35 4 of the district meetings, and at the association's  
35 5 annual meeting.

35 6 Sec. \_\_\_\_\_. Section 229.27, subsection 1, Code 2003,  
35 7 is amended to read as follows:

35 8 1. Hospitalization of a person under this chapter,  
35 9 either voluntarily or involuntarily, does not  
35 10 constitute a finding of nor equate with nor raise a  
35 11 presumption of incompetency, nor cause the person so  
35 12 hospitalized to be deemed a person of unsound mind nor  
35 13 a person under legal disability for any purpose,  
35 14 including but not limited to any circumstances to  
35 15 which sections 6B.15, 447.7, 487.402, subsection 5,  
35 16 paragraph "b", section 488.603, subsection 6,  
35 17 paragraph "c", sections 487.705, 488.704, 597.6,  
35 18 600B.21, 614.8, 614.19, 614.22, 614.24, 614.27, and  
35 19 633.244 are applicable.

35 20 Sec. \_\_\_\_\_. Section 229.27, subsection 1, Code 2003,  
35 21 as amended by this division of this Act to take effect  
35 22 January 1, 2005, is amended to read as follows:

35 23 1. Hospitalization of a person under this chapter,  
35 24 either voluntarily or involuntarily, does not  
35 25 constitute a finding of nor equate with nor raise a  
35 26 presumption of incompetency, nor cause the person so  
35 27 hospitalized to be deemed a person of unsound mind nor  
35 28 a person under legal disability for any purpose,  
35 29 including but not limited to any circumstances to  
35 30 which sections 6B.15, 447.7, ~~487.402, subsection 5,~~  
35 31 ~~paragraph "b",~~ section 488.603, subsection 6,  
35 32 paragraph "c", sections 487.705, 488.704, 597.6,  
35 33 600B.21, 614.8, 614.19, 614.22, 614.24, 614.27, and  
35 34 633.244 are applicable.

35 35 Sec. \_\_\_\_\_. Section 260C.18A, subsection 2,  
35 36 unnumbered paragraph 1, Code Supplement 2003, is  
35 37 amended to read as follows:

35 38 On July 1 of each year for the fiscal year  
35 39 beginning July 1, 2003, and for every fiscal year  
35 40 thereafter, moneys from the grow Iowa values fund  
35 41 created in section 15G.108 are appropriated to the  
35 42 department of economic development for deposit in the  
35 43 workforce training and economic development funds in  
35 44 amounts determined pursuant to subsection ~~3~~ 4. Moneys  
35 45 deposited in the funds and disbursed to community  
35 46 colleges for a fiscal year shall be expended for the  
35 47 following purposes, provided seventy percent of the  
35 48 moneys shall be used on projects in the areas of  
35 49 advanced manufacturing, information technology and  
35 50 insurance, and life sciences which include the areas  
36 1 of biotechnology, health care technology, and nursing  
36 2 care technology:

36 3 Sec. \_\_\_\_\_. Section 321I.10, if enacted by 2004 Iowa  
36 4 Acts, Senate File 297, section 53, is amended by  
36 5 adding the following new subsection:

36 6 NEW SUBSECTION. 2A. Cities may designate streets  
36 7 under the jurisdiction of cities within their  
36 8 respective corporate limits which may be used for the  
36 9 sport of driving all-terrain vehicles.

36 10 Sec. \_\_\_\_\_. Section 331.606B, subsection 4,  
36 11 paragraph a, if enacted by 2004 Iowa Acts, Senate File  
36 12 371, section 3, is amended to read as follows:

36 13 a. A document or instrument that was signed before  
36 14 July 1, ~~2004~~ 2005.

36 15 Sec. \_\_\_\_\_. Section 488.102, subsection 10,  
36 16 paragraph a, subparagraph (2), as enacted by 2004 Iowa  
36 17 Acts, House File 2347, section 2, is amended to read  
36 18 as follows:

36 19 (2) A person that was a general partner in a  
36 20 limited partnership when the limited partnership  
36 21 became subject to this chapter under section ~~488.1206~~  
36 22 488.1204, subsection 1 or 2.

36 23 Sec. \_\_\_\_\_. Section 488.102, subsection 12,  
36 24 paragraph a, subparagraph (2), as enacted by 2004 Iowa  
36 25 Acts, House File 2347, section 2, is amended to read  
36 26 as follows:

36 27 (2) A person that was a limited partner in a

36 28 limited partnership when the limited partnership  
36 29 became subject to this chapter under section ~~488.1206~~  
36 30 488.1204, subsection 1 or 2.  
36 31 Sec. \_\_\_\_\_. Section 488.102, subsection 13, as  
36 32 enacted by 2004 Iowa Acts, House File 2347, section 2,  
36 33 is amended to read as follows:  
36 34 13. "Limited partnership", except in the phrases  
36 35 "foreign limited partnership" and "foreign limited  
36 36 liability limited partnership", means an entity,  
36 37 having one or more general partners and one or more  
36 38 limited partners, which is formed under this chapter  
36 39 by two or more persons or becomes subject to this  
36 40 chapter under article 11 or section ~~488.1206~~ 488.1204,  
36 41 subsection 1 or 2. The term includes a limited  
36 42 liability limited partnership.  
36 43 Sec. \_\_\_\_\_. Section 488.202, subsection 3,  
36 44 unnumbered paragraph 1, as enacted by 2004 Iowa Acts,  
36 45 House File 2347, section 20, is amended to read as  
36 46 follows:  
36 47 A general partner that knows that any information  
36 48 in a filed certificate of limited partnership was  
36 49 false when the certificate was filed or has become  
36 50 false due to changed circumstances shall promptly do  
37 1 at least one of the following:  
37 2 Sec. \_\_\_\_\_. Section 488.209, subsection 1, paragraph  
37 3 c, as enacted by 2004 Iowa Acts, House File 2347,  
37 4 section 27, is amended to read as follows:  
37 5 c. Whether all fees, taxes, and penalties under  
37 6 this chapter or other law due ~~to~~ the secretary of  
37 7 state have been paid.  
37 8 Sec. \_\_\_\_\_. Section 488.209, subsection 2, paragraph  
37 9 c, as enacted by 2004 Iowa Acts, House File 2347,  
37 10 section 27, is amended to read as follows:  
37 11 c. Whether all fees, taxes, and penalties under  
37 12 this chapter or other law due ~~to~~ the secretary of  
37 13 state have been paid.  
37 14 Sec. \_\_\_\_\_. Section 488.508, subsection 6, as  
37 15 enacted by 2004 Iowa Acts, House File 2347, section  
37 16 50, is amended to read as follows:  
37 17 6. A limited partnership's indebtedness, including  
37 18 indebtedness issued in connection with or as part of a  
37 19 distribution, is not considered a liability for  
37 20 purposes of subsection 2 if the terms of the  
37 21 indebtedness provide that payment of principal and  
37 22 interest ~~are~~ is made only to the extent that a  
37 23 distribution could then be made to partners under this  
37 24 section.  
37 25 Sec. \_\_\_\_\_. Section 488.703, subsection 1, as  
37 26 enacted by 2004 Iowa Acts, House File 2347, section  
37 27 61, is amended to read as follows:  
37 28 1. On application to a court of competent  
37 29 jurisdiction by any judgment creditor of a partner or  
37 30 transferee, the court may charge the transferable  
37 31 interest of the judgment debtor with payment of the  
37 32 unsatisfied amount of the judgment with interest. To  
37 33 the extent so charged, the judgment creditor has only  
37 34 the rights of a transferee. The court may appoint a  
37 35 receiver of the share of the distributions due or to  
37 36 become due ~~to~~ the judgment debtor in respect of the  
37 37 partnership and make all other orders, directions,  
37 38 accounts, and inquiries the judgment debtor might have  
37 39 made or which the circumstances of the case may  
37 40 require to give effect to the charging order.  
37 41 Sec. \_\_\_\_\_. Section 488.809, subsection 1, paragraph  
37 42 a, as enacted by 2004 Iowa Acts, House File 2347,  
37 43 section 72, is amended to read as follows:  
37 44 a. Pay any fee, tax, or penalty under this chapter  
37 45 or other law due ~~to~~ the secretary of state.  
37 46 Sec. \_\_\_\_\_. Section 488.906, subsection 1, paragraph  
37 47 a, as enacted by 2004 Iowa Acts, House File 2347,  
37 48 section 81, is amended to read as follows:  
37 49 a. Pay, within sixty days after the due date, any  
37 50 fee, tax or penalty under this chapter or other law  
38 1 due ~~to~~ the secretary of state.  
38 2 Sec. \_\_\_\_\_. Section 488.1106, subsection 1,  
38 3 paragraph a, as enacted by 2004 Iowa Acts, House File  
38 4 2347, section 94, is amended to read as follows:  
38 5 a. The governing statute of each of the other  
38 6 organizations authorizes the merger.  
38 7 Sec. \_\_\_\_\_. Section 504.304, subsection 1, if  
38 8 enacted by 2004 Iowa Acts, Senate File 2274, section

38 9 27, is amended to read as follows:

38 10 1. Except as provided in subsection 2, the  
38 11 validity of corporate action ~~may~~ shall not be  
38 12 challenged on the ground that the corporation lacks or  
38 13 lacked power to act.

38 14 Sec. \_\_\_\_\_. Section 504.854, subsection 3, paragraph  
38 15 b, if enacted by 2004 Iowa Acts, Senate File 2274,  
38 16 section 104, is amended to read as follows:

38 17 b. By the members, but the director who, at the  
38 18 time does not qualify as a disinterested director, ~~may~~  
38 19 shall not vote as a member or on behalf of a member.

38 20 Sec. \_\_\_\_\_. Section 504.1422, subsection 3, if  
38 21 enacted by 2004 Iowa Acts, Senate File 2274, section  
38 22 145, is amended to read as follows:

38 23 3. A corporation that is administratively  
38 24 dissolved continues its corporate existence but ~~may~~  
38 25 shall not carry on any activities except those  
38 26 necessary to wind up and liquidate its affairs  
38 27 pursuant to section 504.1406 and notify its claimants  
38 28 pursuant to sections 504.1407 and 504.1408.

38 29 Sec. \_\_\_\_\_. Section 614.37, Code 2003, as amended by  
38 30 2004 Iowa Acts, House File 2450, section 8, if  
38 31 enacted, is amended to read as follows:

38 32 614.37 LIMITATION STATUTES NOT EXTENDED.

38 33 Nothing contained in this chapter shall be  
38 34 construed to extend the period for the bringing of an  
38 35 action or for the doing of any other required act  
38 36 under any statutes of limitations, nor, except as  
38 37 herein specifically provided, to effect the operation  
38 38 of any statutes governing the effect of the recording  
38 39 or the failure to record any instrument affecting  
38 40 land. It is intended that nothing contained in this  
38 41 ~~division chapter~~ be interpreted to revive or extend  
38 42 the period of filing a claim or bringing an action  
38 43 that may be limited or barred by any other statute.

38 44 Sec. \_\_\_\_\_. Section 669.14, subsection 11,  
38 45 unnumbered paragraph 1, Code Supplement 2003, as  
38 46 amended by 2004 Iowa Acts, House File 2347, section  
38 47 116, is amended to read as follows:

38 48 Any claim for financial loss based upon an act or  
38 49 omission in financial regulation, including but not  
38 50 limited to examinations, inspections, audits, or other  
39 1 financial oversight responsibilities, pursuant to  
39 2 chapters 87, 203, 203C, 203D, 421B, 486, ~~or the figure~~  
39 3 ~~"487"~~ 487, 488, and 490 through 553, excluding  
39 4 chapters 540A, 542, 542B, 543B, 543C, 543D, 544A, and  
39 5 544B.

39 6 Sec. \_\_\_\_\_. Section 709A.1, subsection 2, paragraph  
39 7 c, Code 2003, as amended by 2004 Iowa Acts, Senate  
39 8 File 2249, section 2, is amended to read as follows:

39 9 c. Any premises the use of which constitutes a  
39 10 violation of chapter 717A, or section 725.5~~7~~ or  
39 11 725.10~~7~~ or 725.11.

39 12 Sec. \_\_\_\_\_. Section 714.26, subsection 1, paragraph  
39 13 c, if enacted by 2004 Iowa Acts, House File 2395, is  
39 14 amended to read as follows:

39 15 c. "Retail value" means the highest value of an  
39 16 item determined by any reasonable standard at the time  
39 17 the item bearing or identified by a counterfeit mark  
39 18 is seized. If a seized item bearing or identified by  
39 19 a counterfeit mark is a component of a finished  
39 20 product, "retail value" also means the highest value,  
39 21 determined by any reasonable standard, of the finished  
39 22 product on which the component would have been  
39 23 utilized. The retail value shall be the retail value  
39 24 of the aggregate quantity of all items seized which  
39 25 bear or are identified by a counterfeit mark. For  
39 26 purposes of this paragraph, reasonable standard  
39 27 includes but is not limited ~~the~~ to the market value  
39 28 within the community, actual value, replacement value,  
39 29 or the counterfeiter's regular selling price for the  
39 30 item bearing or identified by a counterfeit mark, or  
39 31 the intellectual property owner's regular selling  
39 32 price for an item similar to the item bearing or  
39 33 identified by a counterfeit mark.

39 34 Sec. \_\_\_\_\_. Section 717E.1, subsection 3, paragraph  
39 35 a, if enacted by 2004 Iowa Acts, House File 2480,  
39 36 section 1, is amended to read as follows:

39 37 a. The annual fair and exposition held by the Iowa  
39 38 state fair board pursuant to chapter 173 or any fair  
39 39 ~~held event conducted by a county or district fair~~ 39 40 agricultural society under the

provisions of chapter

39 41 174.

39 42 Sec. \_\_\_\_\_. Section 812.6, subsection 2, unnumbered  
39 43 paragraph 1, if enacted by 2004 Iowa Acts, Senate File

39 44 2272, section 8, is amended to read as follows:

39 45 If the court finds by clear and convincing evidence  
39 46 that the defendant poses a danger to the public peace  
39 47 or safety, or that the defendant is otherwise not  
39 48 qualified for pretrial release, or the defendant  
39 49 refuses to cooperate with treatment, the court shall  
39 50 commit the defendant to an appropriate inpatient  
40 1 treatment facility as provided in ~~paragraphs~~ paragraph  
40 2 "a" ~~and or~~ "b". The defendant shall receive mental  
40 3 health treatment designed to restore the defendant to  
40 4 competency.

40 5 Sec. \_\_\_\_\_. Sections 7D.15, 10D.1, 15.114, 15.221,  
40 6 15E.64, 18A.11, 84A.1C, 225C.13, 303.3, 331.441,  
40 7 357A.2, 357A.11, 357A.20, 357A.21, 357A.22A, 357A.23,  
40 8 357A.24, 425.11, 476.1, 476.27, 480.3, 499.5, 499.5A,  
40 9 500.3, 504C.1, 514.19, 514.23, and 515.1, Code 2003,  
40 10 are amended by inserting before the figure "504A" the  
40 11 following: "504 or", if 2004 Iowa Acts, Senate File  
40 12 2274 is enacted.

40 13 Sec. \_\_\_\_\_. Sections 9H.1, 9H.4, 10B.1, 190C.6,  
40 14 304A.21, 331.427, 357A.15, 422.45, 490.1701, 504B.1,  
40 15 504B.6, 513C.10, 514.1, 514.2, 514.5, 616.10, 633.63,  
40 16 and 716.6B, Code Supplement 2003, are amended by  
40 17 inserting before the figure "504A" the following:  
40 18 "504 or", if 2004 Iowa Acts, Senate File 2274 is  
40 19 enacted.

40 20 Sec. \_\_\_\_\_. 2004 Iowa Acts, House File 401, section  
40 21 1, is amended by striking the section and inserting in  
40 22 lieu thereof the following:

40 23 SECTION 1. Section 404A.4, subsection 4, Code  
40 24 Supplement 2003, is amended to read as follows:

40 25 4. The total amount of tax credits that may be  
40 26 approved for a fiscal year under this chapter shall  
40 27 not exceed two million four hundred thousand dollars.  
40 28 For the fiscal years beginning July 1, 2005, and July  
40 29 1, 2006, an additional five hundred thousand dollars  
40 30 of tax credits may be approved each fiscal year for  
40 31 purposes of projects located in cultural and  
40 32 entertainment districts certified pursuant to section  
40 33 303.3B. Any of the additional tax credits allocated  
40 34 for projects located in certified cultural and  
40 35 entertainment districts that are not approved during a  
40 36 fiscal year may be carried over to the succeeding  
40 37 fiscal year. ~~Tax credit certificates shall be issued~~  
~~40 38 on the basis of the earliest awarding. The department~~  
~~40 39 of cultural affairs shall establish by rule the~~  
~~40 40 procedures for the application, review, selection, and~~  
~~40 41 awarding of certifications of completion as provided~~  
~~40 42 in subsection 1.~~ The departments of economic  
40 43 development, cultural affairs, and revenue shall each  
40 44 adopt rules to jointly administer this subsection and  
40 45 shall provide by rule for the method to be used to  
40 46 determine for which fiscal year the tax credits are  
40 47 ~~approved available.~~

40 48 Sec. \_\_\_\_\_. 2004 Iowa Acts, House File 2562, section  
40 49 10, subsection 2, if enacted, is amended to read as  
40 50 follows:

41 1 2. On and after July 1, 2005, an owner of an  
41 2 electrical and mechanical amusement device as  
41 3 described in subsection 1 shall not offer the device  
41 4 for use by the public. However, the owner of a device  
41 5 shall be permitted to sell the device to a  
41 6 distributor, as defined in section 99B.1, as amended  
41 7 by this Act, or to a person authorized to offer the  
41 8 device to the public pursuant to section 99B.10,  
41 9 subsection 4, as amended by this Act for which a class  
41 10 "A", class "B", class "C", or class "D" liquor control  
41 11 license ~~or class "B" or class "C" beer permit~~ has been  
41 12 issued pursuant to chapter 123.

41 13 Sec. \_\_\_\_\_. 2004 Iowa Acts, Senate File 2070,  
41 14 section 35, subsection 1, is amended to read as  
41 15 follows:

41 16 1. Except as provided in subsections 2 through 4  
41 17 6, this Act takes effect January 1, 2005.

41 18 Sec. \_\_\_\_\_. The section of 2004 Iowa Acts, House  
41 19 File 2489, amending section 523A.502, subsection 7, is  
41 20 repealed if 2004 Iowa Acts, House File 2269, is

41 21 enacted.

41 22 Sec. \_\_\_\_\_. 2004 Iowa Acts, Senate File 2282,  
41 23 section 1, if enacted, is amended to read as follows:  
41 24 SECTION 1. LOESS HILLS STUDY AND REPORT. The  
41 25 loess hills development and conservation authority, in  
41 26 consultation with the state advisory board for  
41 27 preserves, shall conduct a comprehensive study to  
41 28 determine the archaeological and paleontological  
41 29 significance and the significance of the flora and  
41 30 fauna of the loess hills and to determine the  
41 31 feasibility of designating land in the loess hills for  
41 32 dedication as a state native prairie preserve and of  
41 33 other various uses of the loess hills. The ~~natural~~  
~~41 34 resource commission loess hills development and~~  
~~41 35 conservation authority~~ may accept gifts, grants,  
41 36 bequests, and other private contributions, as well as  
41 37 federal, state, or local funds for the purposes of  
41 38 conducting the study. The loess hills development and  
41 39 conservation authority and the state advisory board  
41 40 for preserves shall file a joint report containing  
41 41 their findings and recommendations with the  
41 42 legislative services agency by December 15, 2006, for  
41 43 distribution to the general assembly.

41 44 Sec. \_\_\_\_\_. EFFECTIVE AND RETROACTIVE APPLICABILITY  
41 45 DATES.

41 46 1. The sections of this division of this Act  
41 47 amending sections 9H.1 and 10B.1, Code Supplement  
41 48 2003, and 229.27, Code 2003, take effect January 1,  
41 49 2005. The sections of this division of this Act  
41 50 further amending sections 9H.1 and 10B.1, Code  
42 1 Supplement 2003, and 229.27, Code 2003, as amended by  
42 2 this division of this Act to take effect January 1,  
42 3 2005, take effect January 1, 2006.

42 4 2. The section of this division of this Act  
42 5 amending section 260C.18A, being deemed of immediate  
42 6 importance, takes effect upon enactment and applies  
42 7 retroactively to July 1, 2003.

42 8 3. The section of this division of this Act  
42 9 amending 2004 Iowa Acts, Senate File 2070, being  
42 10 deemed of immediate importance, takes effect upon  
42 11 enactment and applies retroactively to the date of  
42 12 enactment of Senate File 2070.

42 13 DIVISION \_\_\_\_  
42 14 COMMUNITY ATTRACTION AND TOURISM FUND

42 15 Sec. \_\_\_\_\_. Section 15F.204, subsection 3, Code  
42 16 2003, is amended to read as follows:

42 17 3. The fund shall be used to provide assistance  
42 18 only from funds, rights, and assets legally available  
42 19 to the board in the form of grants, loans, forgivable  
42 20 loans, and credit enhancements and financing  
42 21 instruments under the community attraction and tourism  
42 22 program established in section 15F.202. A project  
42 23 with a total cost exceeding twenty million dollars may  
42 24 receive financial assistance under the program. An  
42 25 applicant under the community attraction and tourism  
42 26 program shall not receive financial assistance from  
42 27 the fund in an amount exceeding fifty percent of the  
42 28 total cost of the project.

42 29 Sec. \_\_\_\_\_. Section 15F.204, Code 2003, is amended  
42 30 by adding the following new subsection:

42 31 NEW SUBSECTION. 8. a. There is appropriated from  
42 32 the rebuild Iowa infrastructure fund to the community  
42 33 attraction and tourism fund, the following amounts:

42 34 (1) For the fiscal year beginning July 1, 2004,  
42 35 and ending June 30, 2005, the sum of twelve million  
42 36 dollars.

42 37 (2) For the fiscal year beginning July 1, 2005,  
42 38 and ending June 30, 2006, the sum of five million  
42 39 dollars.

42 40 (3) For the fiscal year beginning July 1, 2006,  
42 41 and ending June 30, 2007, the sum of five million  
42 42 dollars.

42 43 (4) For the fiscal year beginning July 1, 2007,  
42 44 and ending June 30, 2008, the sum of five million  
42 45 dollars.

42 46 b. There is appropriated from the franchise tax  
42 47 revenues deposited in the general fund of the state to  
42 48 the community attraction and tourism fund, the  
42 49 following amounts:

42 50 (1) For the fiscal year beginning July 1, 2005,  
43 1 and ending June 30, 2006, the sum of seven million

43 2 dollars.  
43 3 (2) For the fiscal year beginning July 1, 2006,  
43 4 and ending June 30, 2007, the sum of seven million  
43 5 dollars.  
43 6 (3) For the fiscal year beginning July 1, 2007,  
43 7 and ending June 30, 2008, the sum of seven million  
43 8 dollars.

43 9 Notwithstanding the allocation requirements in  
43 10 subsection 5, the board may make a multiyear  
43 11 commitment to an applicant of up to four million  
43 12 dollars in any one fiscal year.

43 13 DIVISION \_\_\_\_

43 14 REGULATORY EFFICIENCY COMMISSION

43 15 Sec. \_\_\_\_ REGULATORY EFFICIENCY COMMISSION.

43 16 1. A regulatory efficiency commission is  
43 17 established for purposes of identifying unneeded  
43 18 regulations, fines, and fees that hinder business  
43 19 development. The commission shall also identify  
43 20 methods for streamlining access to regulatory  
43 21 information.

43 22 2. The commission shall consist of eight voting  
43 23 members appointed by the governor and four ex officio  
43 24 members.

43 25 a. The eight voting members appointed by the  
43 26 governor are subject to the requirements of sections  
43 27 69.16, 69.16A, and 69.19. The eight members shall  
43 28 consist of the following:

43 29 (1) Two members shall be economic development  
43 30 representatives from two different chambers of  
43 31 commerce. One shall be from a metropolitan area with  
43 32 more than fifty thousand people and one shall be from  
43 33 a metropolitan area with fifty thousand people or  
43 34 less.

43 35 (2) Two members representing agricultural  
43 36 interests.

43 37 (3) One member representing the Iowa association  
43 38 of business and industry.

43 39 (4) Two members representing commercial-based and  
43 40 manufacturing-based businesses.

43 41 (5) One member representing the Iowa environmental  
43 42 council.

43 43 b. The four ex officio members shall be members of  
43 44 the general assembly. Two members shall be from the  
43 45 senate and two members shall be from the house of  
43 46 representatives, with not more than one member from  
43 47 each chamber being from the same political party. The  
43 48 two senators shall be designated by the president of  
43 49 the senate after consultation with the majority and  
43 50 minority leaders of the senate. The two  
44 1 representatives shall be designated by the speaker of  
44 2 the house of representatives after consultation with  
44 3 the majority and minority leaders of the house of  
44 4 representatives. Legislative members shall serve in  
44 5 an ex officio, nonvoting capacity.

44 6 3. Meetings of the commission are subject to the  
44 7 provisions of chapter 21.

44 8 4. By January 10, 2005, the commission shall  
44 9 submit a written report to the governor and the  
44 10 general assembly. The report shall include the  
44 11 findings and legislative recommendations of the  
44 12 commission. The report shall be distributed by the  
44 13 secretary of the senate and the chief clerk of the  
44 14 house of representatives to the chairpersons and  
44 15 members of the administrative rules review committee  
44 16 and the economic growth committees in the senate and  
44 17 the house of representatives.

44 18 DIVISION \_\_\_\_

44 19 WIND ENERGY TAX CREDITS

44 20 Sec. \_\_\_\_ NEW SECTION. 422.11J WIND ENERGY  
44 21 PRODUCTION TAX CREDIT.

44 22 The taxes imposed under this division, less the  
44 23 credits allowed under sections 422.12 and 422.12B,  
44 24 shall be reduced by a wind energy production tax  
44 25 credit allowed under chapter 476B.

44 26 Sec. \_\_\_\_ Section 422.33, Code Supplement 2003, is  
44 27 amended by adding the following new subsection:

44 28 NEW SUBSECTION. 16. The taxes imposed under this  
44 29 division shall be reduced by a wind energy production  
44 30 tax credit allowed under chapter 476B.

44 31 Sec. \_\_\_\_ Section 422.60, Code Supplement 2003, is  
44 32 amended by adding the following new subsection:

44 33 NEW SUBSECTION. 9. The taxes imposed under this  
44 34 division shall be reduced by a wind energy production  
44 35 tax credit allowed under chapter 476B.  
44 36 Sec. \_\_\_\_\_. NEW SECTION. 432.12E WIND ENERGY  
44 37 PRODUCTION TAX CREDIT.  
44 38 The taxes imposed under this chapter shall be  
44 39 reduced by a wind energy production tax credit allowed  
44 40 under chapter 476B.  
44 41 Sec. \_\_\_\_\_. Section 437A.6, subsection 1, paragraph  
44 42 c, Code 2003, is amended to read as follows:  
44 43 c. Wind energy conversion property subject to  
44 44 section 427B.26 or eligible for a tax credit under  
44 45 chapter 476B.  
44 46 Sec. \_\_\_\_\_. NEW SECTION. 476B.1 DEFINITIONS.  
44 47 For purposes of this chapter, unless the context  
44 48 otherwise requires:  
44 49 1. "Board" means the utilities board within the  
44 50 utilities division of the department of commerce.  
45 1 2. "Department" means the department of revenue.  
45 2 3. "Qualified electricity" means electricity  
45 3 produced from wind at a qualified facility.  
45 4 4. "Qualified facility" means an electrical  
45 5 production facility that meets all of the following:  
45 6 a. Produces electricity from wind.  
45 7 b. Is located in Iowa.  
45 8 c. Was originally placed in service on or after  
45 9 July 1, 2004, but before July 1, 2007.  
45 10 Sec. \_\_\_\_\_. NEW SECTION. 476B.2 GENERAL RULE.  
45 11 The owner of a qualified facility shall, for each  
45 12 kilowatt-hour of qualified electricity that the owner  
45 13 sells during the ten-year period beginning on the date  
45 14 the qualified facility was originally placed in  
45 15 service, be allowed a wind energy production tax  
45 16 credit to the extent provided in this chapter against  
45 17 the tax imposed in chapter 422, divisions II, III, and  
45 18 V, and chapter 432.  
45 19 Sec. \_\_\_\_\_. NEW SECTION. 476B.3 CREDIT AMOUNT.  
45 20 1. Except as limited by subsection 2, the wind  
45 21 energy production tax credit allowed under this  
45 22 chapter equals the product of one cent multiplied by  
45 23 the number of kilowatt-hours of qualified electricity  
45 24 sold by the owner during the taxable year.  
45 25 2. a. The maximum amount of tax credit which a  
45 26 group of qualified facilities operating as one unit  
45 27 may receive for a taxable year equals the rate of  
45 28 credit times thirty-two percent of the total number of  
45 29 kilowatts of nameplate generating capacity.  
45 30 b. However, if for the previous taxable year the  
45 31 amount of the tax credit for the group of qualified  
45 32 facilities operating as one unit is less than the  
45 33 maximum amount available as provided in paragraph "a",  
45 34 the maximum amount for the next taxable year shall be  
45 35 increased by the amount of the previous year's unused  
45 36 maximum credit.  
45 37 Sec. \_\_\_\_\_. NEW SECTION. 476B.4 LIMITATIONS.  
45 38 1. a. The wind energy production tax credit shall  
45 39 not be allowed for any kilowatt-hour of electricity  
45 40 produced on wind energy conversion property for which  
45 41 the owner has claimed or otherwise received for that  
45 42 property the benefit of special valuation under  
45 43 section 427B.26 or section 441.21, subsection 8, or  
45 44 the exemption from retail sales tax under section  
45 45 422.45, subsection 48, or section 423.3, subsection  
45 46 53, as applicable.  
45 47 b. The disallowance of the tax credit pursuant to  
45 48 paragraph "a" does not apply to an owner of a  
45 49 qualified facility that owns, directly or indirectly,  
45 50 in the aggregate, a total annual turbine nameplate  
46 1 capacity of all such property of less than one  
46 2 megawatt. A qualified facility under this paragraph  
46 3 shall not be owned by more than one person.  
46 4 2. The wind energy production tax credit shall not  
46 5 be allowed for any kilowatt-hour of electricity that  
46 6 is sold to a related person. For purpose of this  
46 7 subsection, persons shall be treated as related to  
46 8 each other if such persons would be treated as a  
46 9 single employer under the regulations prescribed under  
46 10 section 52(b) of the Internal Revenue Code. In the  
46 11 case of a corporation that is a member of an  
46 12 affiliated group of corporations filing a consolidated  
46 13 return, such corporation shall be treated as selling

46 14 electricity to an unrelated person if such electricity  
46 15 is sold to such a person by another member of such  
46 16 group.

46 17 Sec. \_\_\_\_\_. NEW SECTION. 476B.5 APPLICATION FOR  
46 18 TAX CREDIT CERTIFICATES.

46 19 1. a. To be eligible to receive the wind energy  
46 20 production tax credit, the owner must first receive  
46 21 approval of the board of supervisors of the county in  
46 22 which the qualified facility is located. The  
46 23 application for approval may be submitted prior to  
46 24 commencement of the construction of the qualified  
46 25 facility but shall be submitted no later than the  
46 26 close of the owner's first taxable year for which the  
46 27 credit is to be applied for. The application must  
46 28 contain the owner's name and address, the address of  
46 29 the qualified facility, and the dates of the owner's  
46 30 first and last taxable years for which the credit will  
46 31 be applied for. Within forty-five days of the receipt  
46 32 of the application for approval, the board of  
46 33 supervisors shall either approve or disapprove the  
46 34 application. After the forty-five-day limit, the  
46 35 application is deemed to be approved.

46 36 b. Upon approval of the application, the owner may  
46 37 apply for the tax credit as provided in subsection 2.  
46 38 In addition, approval of the application is acceptance  
46 39 by the applicant for the assessment of the qualified  
46 40 facility for property tax purposes for a period of  
46 41 twelve years and approval by the board of supervisors  
46 42 for the payment of the property taxes levied on the  
46 43 qualified property to the state. For purposes of  
46 44 property taxation, the qualified facility shall be  
46 45 centrally assessed and shall be exempt from any  
46 46 replacement tax under section 437A.6 for the period  
46 47 during which the facility is subject to property  
46 48 taxation. The property taxes to be paid to the state  
46 49 are those property taxes which make up the  
46 50 consolidated tax levied on the qualified facility and  
47 1 which are due and payable in the twelve-year period  
47 2 beginning with the first fiscal year beginning on or  
47 3 after the end of the owner's first taxable year for  
47 4 which the credit is applied for. Upon approval of the  
47 5 application, the board of supervisors shall notify the  
47 6 county treasurer to state on the tax statement which  
47 7 lists the taxes on the qualified facility that the  
47 8 amount of the property taxes shall be paid to the  
47 9 department. Payment of the designated property taxes  
47 10 to the department shall be in the same manner as  
47 11 required for the payment of regular property taxes and  
47 12 failure to pay designated property taxes to the  
47 13 department shall be treated the same as failure to pay  
47 14 property taxes to the county treasurer.

47 15 c. Once the owner of the qualified facility  
47 16 receives approval under paragraph "a", subsequent  
47 17 approval under paragraph "a" is not required for the  
47 18 same qualified facility for subsequent taxable years.

47 19 2. To receive the wind energy production tax  
47 20 credit, an owner of the qualified facility must submit  
47 21 an application for a tax credit certificate to the  
47 22 board not later than thirty days after the close of  
47 23 the taxable year for which the credit is applied for.  
47 24 The owner's application must contain, but need not be  
47 25 limited to, all of the following information: the  
47 26 owner's name, tax identification number, and address,  
47 27 the number of kilowatt-hours of qualified electricity  
47 28 sold by the owner during the preceding taxable year,  
47 29 the address of the qualified facility at which the  
47 30 qualified electricity was produced, and the  
47 31 denomination that each tax credit certificate is to  
47 32 carry. For the first taxable year for which the  
47 33 credit is applied for, there shall be attached to the  
47 34 application a notarized copy of the board of  
47 35 supervisors' approval as required in subsection 1.

47 36 3. The board shall, in conjunction with the  
47 37 department, prescribe appropriate forms, including  
47 38 board of supervisors' approval forms, and instructions  
47 39 to enable owners to claim the tax credit allowed under  
47 40 this chapter. If the board prescribes these forms and  
47 41 instructions, an owner's application for a tax credit  
47 42 certificate shall not be valid unless made on and in  
47 43 accordance with these forms and instructions.

47 44 Sec. \_\_\_\_\_. NEW SECTION. 476B.6 ISSUANCE OF TAX

47 45 CREDIT CERTIFICATES.

47 46 1. If the owner meets the criteria for eligibility  
47 47 for the wind energy production tax credit, the board  
47 48 shall determine the validity of the application and if  
47 49 valid, shall approve the application for credit. Once  
47 50 approval of the credit for a qualified facility is  
48 1 granted, subsequent approval is not required for the  
48 2 same qualified facility. However, application is  
48 3 required to be filed as provided in section 476B.5,  
48 4 subsection 2, for purposes of the issuance of credit  
48 5 certificates. The board shall issue one or more tax  
48 6 credit certificates to the owner not later than thirty  
48 7 days after the application is submitted to the board.  
48 8 Each tax credit certificate must contain the owner's  
48 9 name, address, and tax identification number, amount  
48 10 of tax credits, the first taxable year the  
48 11 certificates may be used, which shall not be for a  
48 12 taxable year beginning prior to July 1, 2005, and the  
48 13 expiration date of the tax credit certificate, which  
48 14 shall be seven years from its date of issuance and any  
48 15 other information required by the department. Once  
48 16 issued by the board, the tax credit certificate shall  
48 17 be binding on the board and the department and shall  
48 18 not be modified, terminated, or rescinded. The board  
48 19 shall notify the department and identify the qualified  
48 20 facility for which the owner received tax credit  
48 21 certificates that property taxes levied on the  
48 22 qualified facility are to be paid to the department.

48 23 2. If the tax credit application is filed by a  
48 24 partnership, limited liability company, S corporation,  
48 25 estate, trust, or other reporting entity all of the  
48 26 income of which is taxed directly to its equity  
48 27 holders or beneficiaries, the tax credit certificate  
48 28 may, at the election of the owner, be issued directly  
48 29 to equity holders or beneficiaries of the owner in  
48 30 proportion to their pro rata share of the income of  
48 31 such entity. If the owner elects to have the tax  
48 32 credit certificate issued directly to its equity  
48 33 holders or beneficiaries, the owner must, in the  
48 34 application made under section 476B.5, identify its  
48 35 equity holders or beneficiaries, and the amount of  
48 36 such entity's income that is allocable to each equity  
48 37 holder or beneficiary.

48 38 Sec. \_\_\_\_ NEW SECTION. 476B.7 TRANSFER OF TAX  
48 39 CREDIT CERTIFICATES.

48 40 Wind energy production tax credit certificates  
48 41 issued under this chapter may be transferred to any  
48 42 person or entity. Within thirty days of transfer, the  
48 43 transferee must submit the transferred tax credit  
48 44 certificate to the board along with a statement  
48 45 containing the transferee's name, tax identification  
48 46 number, and address, and the denomination that each  
48 47 replacement tax credit certificate is to carry and any  
48 48 other information required by the department. Within  
48 49 thirty days of receiving the transferred tax credit  
48 50 certificate and the transferee's statement, the board  
49 1 shall issue one or more replacement tax credit  
49 2 certificates to the transferee. Each replacement  
49 3 certificate must contain the information required  
49 4 under section 476B.6 and must have the same effective  
49 5 taxable year and the same expiration date that  
49 6 appeared in the transferred tax credit certificate.  
49 7 Tax credit certificate amounts of less than the  
49 8 minimum amount established by rule of the board shall  
49 9 not be transferable. A tax credit shall not be  
49 10 claimed by a transferee under this chapter until a  
49 11 replacement tax credit certificate identifying the  
49 12 transferee as the proper holder has been issued.

49 13 The tax credit shall only be transferred once. The  
49 14 transferee may use the amount of the tax credit  
49 15 transferred against the taxes imposed under chapter  
49 16 422, divisions II, III, and V, and chapter 432 for any  
49 17 tax year the original transferor could have claimed  
49 18 the tax credit. Any consideration received for the  
49 19 transfer of the tax credit shall not be included as  
49 20 income under chapter 422, divisions II, III, and V.  
49 21 Any consideration paid for the transfer of the tax  
49 22 credit shall not be deducted from income under chapter  
49 23 422, divisions II, III, and V.

49 24 Sec. \_\_\_\_ NEW SECTION. 476B.8 USE OF TAX CREDIT  
49 25 CERTIFICATES.

49 26 To claim a wind energy production tax credit under  
49 27 this chapter, a taxpayer must attach one or more tax  
49 28 credit certificates to the taxpayer's tax return. A  
49 29 tax credit certificate shall not be used or attached  
49 30 to a return filed for a taxable year beginning prior  
49 31 to July 1, 2005. The tax credit certificate or  
49 32 certificates attached to the taxpayer's tax return  
49 33 shall be issued in the taxpayer's name, expire on or  
49 34 after the last day of the taxable year for which the  
49 35 taxpayer is claiming the tax credit, and show a tax  
49 36 credit amount equal to or greater than the tax credit  
49 37 claimed on the taxpayer's tax return. Any tax credit  
49 38 in excess of the taxpayer's tax liability for the  
49 39 taxable year may be credited to the taxpayer's tax  
49 40 liability for the following seven taxable years or  
49 41 until depleted, whichever is the earlier.

49 42 Sec. \_\_\_\_\_. NEW SECTION. 476B.9 REGISTRATION OF  
49 43 TAX CREDIT CERTIFICATES.

49 44 The board shall, in conjunction with the  
49 45 department, develop a system for the registration of  
49 46 the wind energy production tax credit certificates  
49 47 issued or transferred under this chapter and a system  
49 48 that permits verification that any tax credit claimed  
49 49 on a tax return is valid and that transfers of the tax  
49 50 credit certificates are made in accordance with the  
50 1 requirements of this chapter. The tax credit  
50 2 certificates issued under this chapter shall not be  
50 3 classified as a security pursuant to chapter 502.

50 4 Sec. \_\_\_\_\_. EFFECTIVE AND APPLICABILITY DATES. This  
50 5 division of this Act, being deemed of immediate  
50 6 importance, takes effect upon enactment and applies  
50 7 retroactively to taxable years beginning on or after  
50 8 January 1, 2004.

50 9 DIVISION \_\_\_\_

50 10 LICENSED INTERPRETER FOR THE HEARING IMPAIRED

50 11 Sec. \_\_\_\_\_. Section 147.1, subsection 2, paragraph  
50 12 c, Code 2003, is amended to read as follows:

50 13 c. "Licensed" or "certified" when applied to a  
50 14 physician and surgeon, podiatric physician, osteopath,  
50 15 osteopathic physician and surgeon, physician  
50 16 assistant, psychologist or associate psychologist,  
50 17 chiropractor, nurse, dentist, dental hygienist,  
50 18 optometrist, speech pathologist, audiologist,  
50 19 pharmacist, physical therapist, occupational  
50 20 therapist, respiratory care practitioner, practitioner  
50 21 of cosmetology arts and sciences, practitioner of  
50 22 barbering, funeral director, dietitian, marital and  
50 23 family therapist, mental health counselor, social  
50 24 worker, massage therapist, athletic trainer, ~~or~~  
50 25 acupuncturist, or interpreter for the hearing  
50 26 impaired, means a person licensed under this subtitle.

50 27 Sec. \_\_\_\_\_. Section 147.1, subsection 2, paragraph  
50 28 f, Code 2003, is amended to read as follows:

50 29 f. "Profession" means medicine and surgery,  
50 30 podiatry, osteopathy, osteopathic medicine and  
50 31 surgery, practice as a physician assistant,  
50 32 psychology, chiropractic, nursing, dentistry, dental  
50 33 hygiene, optometry, speech pathology, audiology,  
50 34 pharmacy, physical therapy, occupational therapy,  
50 35 respiratory care, cosmetology arts and sciences,  
50 36 barbering, mortuary science, marital and family  
50 37 therapy, mental health counseling, social work,  
50 38 dietetics, massage therapy, athletic training, ~~or~~  
50 39 acupuncture, or interpreting for the hearing impaired.

50 40 Sec. \_\_\_\_\_. Section 147.2, unnumbered paragraph 1,  
50 41 Code 2003, is amended to read as follows:

50 42 A person shall not engage in the practice of  
50 43 medicine and surgery, podiatry, osteopathy,  
50 44 osteopathic medicine and surgery, psychology,  
50 45 chiropractic, physical therapy, nursing, dentistry,  
50 46 dental hygiene, optometry, speech pathology,  
50 47 audiology, occupational therapy, respiratory care,  
50 48 pharmacy, cosmetology, barbering, social work,  
50 49 dietetics, marital and family therapy or mental health  
50 50 counseling, massage therapy, mortuary science, ~~or~~  
51 1 acupuncture, or interpreting for the hearing impaired,  
51 2 or shall not practice as a physician assistant as  
51 3 defined in the following chapters of this subtitle,  
51 4 unless the person has obtained from the department a  
51 5 license for that purpose.

51 6 Sec. \_\_\_\_\_. Section 147.13, Code 2003, is amended by

51 7 adding the following new subsection:  
51 8 NEW SUBSECTION. 21. For interpreters, interpreter  
51 9 for the hearing impaired examiners.  
51 10 Sec. \_\_\_\_\_. Section 147.14, Code 2003, is amended by  
51 11 adding the following new subsection:  
51 12 NEW SUBSECTION. 21. For interpreting for the  
51 13 hearing impaired, four members licensed to practice  
51 14 interpreting, three of whom shall be practicing  
51 15 interpreters at the time of appointment to the board  
51 16 and at least one of whom is employed in an educational  
51 17 setting; and three members who are consumers of  
51 18 interpreting services as defined in section 154E.1,  
51 19 each of whom shall be deaf. A majority of members of  
51 20 the board constitutes a quorum.  
51 21 Sec. \_\_\_\_\_. Section 147.74, Code Supplement 2003, is  
51 22 amended by adding the following new subsection:  
51 23 NEW SUBSECTION. 21A. An interpreter licensed  
51 24 under chapter 154E and this chapter may use the title  
51 25 "licensed interpreter" or the letters "L.I." after the  
51 26 person's name.  
51 27 Sec. \_\_\_\_\_. Section 147.80, Code Supplement 2003, is  
51 28 amended by adding the following new subsection:  
51 29 NEW SUBSECTION. 28A. License to practice  
51 30 interpreting, license to practice interpreting under a  
51 31 reciprocal license, or renewal of a license to  
51 32 practice interpreting.  
51 33 Sec. \_\_\_\_\_. NEW SECTION. 154E.1 DEFINITIONS.  
51 34 As used in this chapter, unless the context  
51 35 otherwise requires:  
51 36 1. "Board" means the board of interpreter for the  
51 37 hearing impaired examiners established in chapter 147.  
51 38 2. "Consumer" means an individual utilizing  
51 39 interpreting services who uses spoken English,  
51 40 American sign language, or a manual form of English.  
51 41 3. "Department" means the Iowa department of  
51 42 public health.  
51 43 4. "Interpreter training program" means a post=  
51 44 secondary education program training individuals to  
51 45 interpret or transliterate.  
51 46 5. "Interpreting" means facilitating communication  
51 47 between individuals who communicate via American sign  
51 48 language and individuals who communicate via spoken  
51 49 English.  
51 50 6. "Licensee" means any person licensed to  
52 1 practice interpreting or transliterating for deaf,  
52 2 hard-of-hearing, and hearing individuals in the state  
52 3 of Iowa.  
52 4 7. "Transliterating" means facilitating  
52 5 communication between individuals who communicate via  
52 6 a manual form of English and individuals who  
52 7 communicate via spoken English.  
52 8 Sec. \_\_\_\_\_. NEW SECTION. 154E.2 DUTIES OF THE  
52 9 BOARD.  
52 10 The board shall administer this chapter. The  
52 11 board's duties shall include, but are not limited to,  
52 12 the following:  
52 13 1. Adopt rules consistent with this chapter and  
52 14 with chapter 147 which are necessary for the  
52 15 performance of its duties.  
52 16 2. Act on matters concerning licensure and the  
52 17 process of applying for, granting, suspending,  
52 18 imposing supervisory or probationary conditions upon,  
52 19 reinstating, and revoking a license.  
52 20 3. Establish and collect licensure fees. The  
52 21 board shall establish the amounts of license and  
52 22 renewal fees based upon the actual costs of sustaining  
52 23 the board and the actual costs of issuing the  
52 24 licenses, and all fees collected shall be deposited  
52 25 with the treasurer of state who shall deposit them in  
52 26 the general fund of the state.  
52 27 4. Administer the provisions of this chapter  
52 28 regarding documentation required to demonstrate  
52 29 competence as an interpreter, and the processing of  
52 30 applications for licenses and license renewals.  
52 31 5. Establish and maintain as a matter of public  
52 32 record a registry of interpreters licensed pursuant to  
52 33 this chapter.  
52 34 6. Develop continuing education requirements as a  
52 35 condition of license renewal.  
52 36 7. Evaluate requirements for licensure in other  
52 37 states to determine if reciprocity may be granted.

52 38 Sec. \_\_\_\_\_. NEW SECTION. 154E.3 REQUIREMENTS FOR  
52 39 LICENSURE.

52 40 On or after July 1, 2005, every person providing  
52 41 interpreting or transliterating services in this state  
52 42 shall be licensed pursuant to this chapter. The board  
52 43 shall adopt rules pursuant to chapters 17A, 147, and  
52 44 272C establishing procedures for the licensing of new  
52 45 and existing interpreters. Prior to obtaining  
52 46 licensure, an applicant shall successfully pass an  
52 47 examination prescribed and approved by the board,  
52 48 demonstrating the following:

52 49 1. VOICE=TO=SIGN INTERPRETATION. An applicant  
52 50 shall demonstrate proficiency at:

53 1 a. Message equivalence, producing a true and  
53 2 accurate signed form of the spoken message,  
53 3 maintaining the integrity of content and meaning, and  
53 4 exhibiting few omissions, substitutions, or other  
53 5 errors.

53 6 b. Affect, producing nonmanual grammar consistent  
53 7 with the intent and emotion of the speaker, and  
53 8 exhibiting no distracting mannerisms.

53 9 c. Vocabulary choice, making correct sign choices  
53 10 appropriate to the setting and consumers, applying  
53 11 facial grammar consistent with sign choice, selecting  
53 12 signs that remain true to speaker's intent, and  
53 13 demonstrating lexical variety.

53 14 d. Fluency, displaying confidence in production,  
53 15 exhibiting a strong command of American sign language  
53 16 or manual codes for English, applying nonmanual  
53 17 behaviors consistent with the speaker's intent, and  
53 18 demonstrating understanding of and sensitivity to  
53 19 cultural differences.

53 20 2. SIGN=TO=VOICE INTERPRETATION. An applicant  
53 21 shall demonstrate proficiency at:

53 22 a. Message equivalence, producing a true and  
53 23 accurate spoken form of the signed message,  
53 24 maintaining the integrity of content and meaning, and  
53 25 exhibiting few omissions, substitutions, or other  
53 26 errors.

53 27 b. Affect, producing inflection consistent with  
53 28 the intent and emotion of the speaker, and exhibiting  
53 29 no distracting mannerisms.

53 30 c. Vocabulary choice, making correct word choices  
53 31 appropriate to the setting and consumers, using vocal  
53 32 inflection consistent with word choice, selecting  
53 33 words that remain true to the speaker's intent, and  
53 34 demonstrating lexical variety.

53 35 d. Fluency, displaying confidence in production,  
53 36 exhibiting a strong command of English in both spoken  
53 37 and written forms, applying vocal inflections  
53 38 consistent with the speaker's intent, and  
53 39 demonstrating understanding of and sensitivity to  
53 40 cultural differences.

53 41 3. PROFESSIONAL CONDUCT. An applicant shall  
53 42 demonstrate:

53 43 a. Proficiency in functioning as a communicator of  
53 44 messages between the sender and receiver, and  
53 45 educating consumers of services about the functions  
53 46 and logistics of the interpreting process.

53 47 b. An impartial demeanor, refraining from  
53 48 interjecting opinions or advice and from aligning with  
53 49 one party over another. An applicant shall treat all  
53 50 people fairly and respectfully regardless of their  
54 1 relationship to the interpreting assignment, and  
54 2 present a professional appearance that is not visually  
54 3 distracting and is appropriate to the setting. An  
54 4 applicant shall exhibit knowledge and application of  
54 5 federal and state laws pertaining to the interpreting  
54 6 profession.

54 7 c. Integrity, and shall be proficient in  
54 8 understanding and applying ethical behavior  
54 9 appropriate for a licensee. An applicant shall  
54 10 demonstrate discretion in accepting and meeting  
54 11 interpreter services requests, and shall engage  
54 12 actively in lifelong learning.

54 13 Sec. \_\_\_\_\_. NEW SECTION. 154E.4 EXCEPTIONS.

54 14 1. A person shall not practice interpreting or  
54 15 transliterating, or represent oneself to be an  
54 16 interpreter, unless the person is licensed under this  
54 17 chapter.

54 18 2. This chapter does not prohibit any of the

54 19 following:

54 20 a. Any person residing outside of the state of  
54 21 Iowa holding a current license from another state that  
54 22 meets the state of Iowa's requirements from providing  
54 23 interpreting or transliterating services in this state  
54 24 for up to fourteen days per calendar year without a  
54 25 license issued pursuant to this chapter.

54 26 b. Any person who interprets or transliterates  
54 27 solely in a religious setting with the exception of  
54 28 those working in schools that receive government  
54 29 funding.

54 30 c. Volunteers working without compensation,  
54 31 including emergency situations, until a licensed  
54 32 interpreter is obtained.

54 33 d. Any person working as a substitute for a  
54 34 licensed interpreter in an early childhood,  
54 35 elementary, or secondary education setting for no more  
54 36 than thirty school days in a calendar year.

54 37 Sec. \_\_\_\_\_. Section 272C.1, subsection 6, Code 2003,  
54 38 is amended by adding the following new paragraph:

54 39 NEW PARAGRAPH. ad. The board of interpreter for  
54 40 the hearing impaired examiners, created pursuant to  
54 41 chapter 154E.

54 42 Sec. \_\_\_\_\_. INTERPRETER STANDARDS AND REGULATIONS.  
54 43 There is appropriated from the general fund of the  
54 44 state to the Iowa department of public health, for the  
54 45 fiscal year beginning July 1, 2004, and ending June  
54 46 30, 2005, the following amount, or so much thereof as  
54 47 is necessary, for the purpose designated:

54 48 For protecting the health and safety of the public  
54 49 through establishing standards and enforcing  
54 50 regulations of interpreters for the deaf, hard-of=  
55 1 hearing, and hearing impaired, and for not more than  
55 2 the following full-time equivalent positions:

55 3 ..... \$ 60,390  
55 4 ..... FTEs 1.00

55 5 Sec. \_\_\_\_\_. TRANSITION PROVISIONS.

55 6 1. The board of interpreter for the hearing  
55 7 impaired examiners shall be provisionally established  
55 8 as provided in section 147.14, as amended in this  
55 9 division of this Act, effective July 1, 2004, for the  
55 10 sole purpose of appointment of members and organizing,  
55 11 planning, and adopting rules, as described in section  
55 12 154E.2, as enacted in this division of this Act, which  
55 13 rules shall be effective July 1, 2005. The board  
55 14 shall become fully operational July 1, 2007, as  
55 15 provided in this division of this Act.

55 16 2. Applicants for licensure under chapter 154E who  
55 17 have not passed a licensure examination approved by  
55 18 the board by July 1, 2005, shall be issued a temporary  
55 19 license to practice interpreting for a period of two  
55 20 years, commencing on July 1, 2005.

55 21 3. Applicants issued a temporary license pursuant  
55 22 to this section shall pass a licensure examination  
55 23 approved by the board on or before July 1, 2007, in  
55 24 order to remain licensed as an interpreter.

55 25 Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this  
55 26 Act providing for the licensing of interpreters by  
55 27 amending chapters 147 and 272C and enacting chapter  
55 28 154E takes effect July 1, 2005.

55 29 DIVISION \_\_\_\_  
55 30 INCOME TAX CHECKOFFS

55 31 Sec. \_\_\_\_\_. NEW SECTION. 100B.13 VOLUNTEER FIRE  
55 32 FIGHTER PREPAREDNESS FUND.

55 33 1. A volunteer fire fighter preparedness fund is  
55 34 created as a separate and distinct fund in the state  
55 35 treasury under the control of the division of fire  
55 36 protection of the department of public safety.

55 37 2. Revenue for the volunteer fire fighter  
55 38 preparedness fund shall include, but is not limited  
55 39 to, the following:

55 40 a. Moneys credited to the fund pursuant to section  
55 41 422.12F.

55 42 b. Moneys in the form of a devise, gift, bequest,  
55 43 donation, or federal or other grant intended to be  
55 44 used for the purposes of the fund.

55 45 3. Moneys in the volunteer fire fighter  
55 46 preparedness fund are not subject to section 8.33.  
55 47 Notwithstanding section 12C.7, subsection 2, interest  
55 48 or earnings on moneys in the fund shall be credited to  
55 49 the fund.

55 50 4. Moneys in the volunteer fire fighter  
56 1 preparedness fund are appropriated to the division of  
56 2 fire protection of the department of public safety to  
56 3 be used annually to pay the costs of providing  
56 4 volunteer fire fighter training around the state and  
56 5 to pay the costs of providing volunteer fire fighting  
56 6 equipment.

56 7 Sec. \_\_\_\_\_. Section 314.28, Code 2003, is reenacted  
56 8 to read as follows:

56 9 314.28 KEEP IOWA BEAUTIFUL FUND.

56 10 A keep Iowa beautiful fund is created in the office  
56 11 of the treasurer of state. The fund is composed of  
56 12 moneys appropriated or available to and obtained or  
56 13 accepted by the treasurer of state for deposit in the  
56 14 fund. The fund shall include moneys credited to the  
56 15 fund as provided in section 422.12A. All interest  
56 16 earned on moneys in the fund shall be credited to and  
56 17 remain in the fund. Section 8.33 does not apply to  
56 18 moneys in the fund.

56 19 Moneys in the fund are subject to appropriation by  
56 20 the general assembly annually for the purposes of  
56 21 educating and encouraging Iowans to take greater  
56 22 responsibility for improving their community  
56 23 environment and enhancing the beauty of the state  
56 24 through litter prevention, improving waste management  
56 25 and recycling efforts, and beautification projects.

56 26 The department may authorize payment of moneys  
56 27 appropriated from the fund to the department upon  
56 28 approval of an application from a private or public  
56 29 organization. The applicant shall submit a plan for  
56 30 litter prevention, improving waste management and  
56 31 recycling efforts, or a beautification project along  
56 32 with its application. The department shall establish  
56 33 standards relating to the type of projects available  
56 34 for assistance.

56 35 Sec. \_\_\_\_\_. Section 422.12A, Code Supplement 2003,  
56 36 is reenacted to read as follows:

56 37 422.12A INCOME TAX REFUND CHECKOFF FOR KEEP IOWA  
56 38 BEAUTIFUL FUND.

56 39 1. A person who files an individual or a joint  
56 40 income tax return with the department of revenue under  
56 41 section 422.13 may designate one dollar or more to be  
56 42 paid to the keep Iowa beautiful fund as created in  
56 43 section 314.28. If the refund due on the return or  
56 44 the payment remitted with the return is insufficient  
56 45 to pay the additional amount designated by the  
56 46 taxpayer to the keep Iowa beautiful fund, the amount  
56 47 designated shall be reduced to the remaining amount of  
56 48 refund or the remaining amount remitted with the  
56 49 return. The designation of a contribution to the keep  
56 50 Iowa beautiful fund under this section is irrevocable.

57 1 2. The director of revenue shall draft the income  
57 2 tax form to allow the designation of contributions to  
57 3 the keep Iowa beautiful fund on the tax return. The  
57 4 department of revenue, on or before January 31, shall  
57 5 certify the total amount designated on the tax return  
57 6 forms due in the preceding calendar year and shall  
57 7 report the amount to the treasurer of state. The  
57 8 treasurer of state shall credit the amount to the keep  
57 9 Iowa beautiful fund. However, before a checkoff  
57 10 pursuant to this section shall be permitted, all  
57 11 liabilities on the books of the department of revenue  
57 12 and accounts identified as owing under section 421.17  
57 13 and the political contribution allowed under section  
57 14 68A.601 shall be satisfied.

57 15 3. Moneys in the fund are subject to appropriation  
57 16 as provided in section 314.28.

57 17 4. The department of revenue shall adopt rules to  
57 18 administer this section.

57 19 5. This section is subject to repeal under section  
57 20 422.12E.

57 21 Sec. \_\_\_\_\_. Section 422.12E, Code Supplement 2003,  
57 22 is amended to read as follows:

57 23 422.12E INCOME TAX RETURN CHECKOFFS LIMITED.

57 24 For tax years beginning on or after January 1, ~~1995~~  
57 25 2004, there shall be allowed no more than ~~three~~ four  
57 26 income tax return checkoffs on each income tax return.  
57 27 When the same ~~three~~ four income tax return checkoffs  
57 28 have been provided on the income tax return for ~~three~~  
57 29 two consecutive years, the ~~checkoff~~ two checkoffs for  
57 30 which the least amount has been contributed, in the

57 31 aggregate for the first ~~two tax years~~ year and through  
57 32 March 15 of the ~~third~~ second tax year, ~~shall be~~ <  
57 33 repealed. This section does not apply to the income  
57 34 tax return checkoff provided in section 68A.601.  
57 35 If more checkoffs are enacted in the same session  
57 36 of the general assembly than there is space for  
57 37 inclusion on the individual tax return form, the  
57 38 earliest enacted checkoffs for which there is space  
57 39 for inclusion on the return form shall be included on  
57 40 the return form, and all other checkoffs enacted  
57 41 during that session of the general assembly are  
57 42 repealed.

57 43 Sec. \_\_\_\_\_. NEW SECTION. 422.12F INCOME TAX  
57 44 CHECKOFF FOR VOLUNTEER FIRE FIGHTER PREPAREDNESS.  
57 45 1. A person who files an individual or a joint  
57 46 income tax return with the department of revenue under  
57 47 section 422.13 may designate one dollar or more to be  
57 48 paid to the volunteer fire fighter preparedness fund  
57 49 as created in section 100B.13. If the refund due on  
57 50 the return or the payment remitted with the return is  
58 1 insufficient to pay the additional amount designated  
58 2 by the taxpayer to the volunteer fire fighter  
58 3 preparedness fund, the amount designated shall be  
58 4 reduced to the remaining amount of refund or the  
58 5 remaining amount remitted with the return. The  
58 6 designation of a contribution to the volunteer fire  
58 7 fighter preparedness fund under this section is  
58 8 irrevocable.

58 9 2. The director of revenue shall draft the income  
58 10 tax form to allow the designation of contributions to  
58 11 the volunteer fire fighter preparedness fund on the  
58 12 tax return. The department of revenue, on or before  
58 13 January 31, shall certify the total amount designated  
58 14 on the tax return forms due in the preceding calendar  
58 15 year and shall report the amount to the treasurer of  
58 16 state. The treasurer of state shall credit the amount  
58 17 to the volunteer fire fighter preparedness fund.  
58 18 However, before a checkoff pursuant to this section  
58 19 shall be permitted, all liabilities on the books of  
58 20 the department of revenue and accounts identified as  
58 21 owing under section 421.17 and the political  
58 22 contribution allowed under section 68A.601 shall be  
58 23 satisfied.

58 24 3. The department of revenue shall adopt rules to  
58 25 administer this section.  
58 26 4. This section is subject to repeal under section  
58 27 422.12E.

58 28 Sec. \_\_\_\_\_. EFFECTIVE AND APPLICABILITY DATES.  
58 29 1. The section of this division of this Act  
58 30 amending section 422.12E, being deemed of immediate  
58 31 importance, takes effect upon enactment.  
58 32 2. The sections of this division of this Act  
58 33 reenacting section 422.12A and enacting section  
58 34 422.12F apply retroactively to tax years beginning on  
58 35 or after January 1, 2004.

58 36 DIVISION \_\_\_\_  
58 37 STATE TAX IMPLEMENTATION COMMITTEE  
58 38 Sec. \_\_\_\_\_. STATE TAX IMPLEMENTATION COMMITTEE.  
58 39 1. On or before July 1, 2004, the department of  
58 40 revenue, in consultation with the department of  
58 41 management, shall initiate and coordinate the  
58 42 establishment of a state tax implementation committee.  
58 43 The department of revenue and the department of  
58 44 management shall provide staffing assistance to the  
58 45 committee.  
58 46 The state tax implementation committee shall  
58 47 include four members of the general assembly, one each  
58 48 appointed by the majority leader of the senate, the  
58 49 speaker of the house of representatives, the minority  
58 50 leader of the senate, and the minority leader of the  
59 1 house of representatives. The committee shall also  
59 2 include members appointed by the department of  
59 3 revenue. One member shall be appointed to represent  
59 4 each of the following:  
59 5 a. The department of revenue.  
59 6 b. The department of management.  
59 7 c. Counties  
59 8 d. Cities.  
59 9 e. School districts.  
59 10 f. Local assessors.  
59 11 g. County auditors.

59 12 h. Commercial property taxpayers.  
59 13 i. Industrial property taxpayers.  
59 14 j. Residential property taxpayers.  
59 15 k. Agricultural property taxpayers.  
59 16 l. Chapter 437A taxpayers.  
59 17 One additional stakeholder shall be appointed  
59 18 jointly by the majority leader of the senate and the  
59 19 speaker of the house of representatives.  
59 20 Any vacancy shall be filled in the same manner as  
59 21 regular appointments are made.  
59 22 The chairpersons of the committee shall be those  
59 23 members of the general assembly appointed by the  
59 24 majority leader of the senate and the speaker of the  
59 25 house of representatives.  
59 26 The members of the committee representing the  
59 27 department of revenue and the department of management  
59 28 are nonvoting, ex officio members.  
59 29 The committee shall meet quarterly and at other  
59 30 times as necessary at the call of the chairpersons.  
59 31 Written notice of the time and place of each meeting  
59 32 shall be given to each member of the committee. The  
59 33 only vote taken by the committee shall be the vote  
59 34 approving the final report in subsection 2.  
59 35 2. The committee shall review and analyze the  
59 36 following:  
59 37 a. Revenue sources available to local governments  
59 38 and school districts, including taxes, payments in  
59 39 lieu of property taxes, fees, state appropriations,  
59 40 and federal moneys.  
59 41 b. Revenue sources available to the state,  
59 42 including taxes, fees, and federal moneys, and the  
59 43 portion of state revenues annually appropriated, or  
59 44 otherwise disbursed, to local governments.  
59 45 c. Exemptions, credits, deductions, exclusions,  
59 46 and other reductions in state or local taxes made  
59 47 available, by state statute or local ordinance, to  
59 48 state and local taxpayers; and state reimbursement of  
59 49 any property tax credits and exemptions.  
59 50 d. Services provided by local governments,  
60 1 including those provided at the discretion of a local  
60 2 government and those mandated by federal or state  
60 3 statutes and regulations.  
60 4 e. The role of property taxes in funding local  
60 5 government services, the types of services currently  
60 6 funded by property taxes, and the property tax  
60 7 financing portion of the school funding formula.  
60 8 f. Alternative systems of property taxation,  
60 9 alternative procedures for protesting property  
60 10 assessments, and various methods of controlling  
60 11 property tax revenues and expenditures.  
60 12 In conducting its review and analysis, the  
60 13 committee shall study state and local taxes from the  
60 14 standpoint of neutrality; competitiveness; simplicity;  
60 15 stability; and equity, including maintenance of equity  
60 16 among classes of taxpayers and among taxpayers within  
60 17 the same class.  
60 18 The committee may hold public hearings to allow  
60 19 persons and organizations to be heard.  
60 20 The committee shall submit a final report to the  
60 21 general assembly no later than final adjournment of  
60 22 the 2005 regular legislative session. The report  
60 23 shall summarize the committee's activities to date,  
60 24 analyze issues studied to date, and may include such  
60 25 other information that the committee deems relevant  
60 26 and necessary.  
60 27 3. The committee may request from any state agency  
60 28 or official the information and assistance as needed  
60 29 to perform the review and analysis required in  
60 30 subsection 2. A state agency or official shall  
60 31 furnish the information or assistance requested within  
60 32 the authority and resources of the state agency or  
60 33 official. This subsection does not allow the  
60 34 examination or copying of any public record required  
60 35 by law to be kept confidential.  
60 36 Sec. \_\_\_\_\_. FUTURE REPEAL. The section of this  
60 37 division of this Act establishing the state tax  
60 38 implementation committee is repealed effective June  
60 39 30, 2005.  
60 40 Sec. \_\_\_\_\_. 2003 Iowa Acts, First Extraordinary  
60 41 Session, chapter 1, section 41, is repealed.  
60 42 Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this

60 43 Act, being deemed of immediate importance, takes  
60 44 effect upon enactment.

60 45 DIVISION \_\_\_\_  
60 46 911 EMERGENCY

60 47 Sec. \_\_\_\_\_. Section 34A.1, Code 2003, is amended to  
60 48 read as follows:

60 49 34A.1 PURPOSE.

60 50 The ~~legislature~~ general assembly finds that  
61 1 enhanced 911 emergency telephone communication systems  
61 2 and other emergency 911 notification devices further  
61 3 the public interest and protect the health, safety,  
61 4 and welfare of the people of Iowa. The purpose of  
61 5 this chapter is to enable the orderly development,  
61 6 installation, and operation of enhanced 911 emergency  
61 7 telephone communication systems and other emergency  
61 8 911 notification devices statewide. These systems are  
61 9 to be operated under governmental management and  
61 10 control for the public benefit.

61 11 Sec. \_\_\_\_\_. Section 34A.2, Code 2003, is amended to  
61 12 read as follows:

61 13 34A.2 DEFINITIONS.

61 14 As used in this chapter, unless the context  
61 15 otherwise requires:

61 16 1. "Access line" means ~~a local an~~ exchange access  
61 17 line that has the ability to access ~~local~~ dial tone  
61 18 and reach a ~~local~~ public safety ~~agency~~ answering  
61 19 point.

61 20 2. "Administrator" means the ~~E911~~ administrator  
61 21 ~~appointed pursuant to section 34A.2A of the homeland~~  
61 22 ~~security and emergency management division of the~~  
61 23 ~~department of public defense.~~

61 24 3. "Competitive local exchange service provider"  
61 25 means the same as defined in section 476.96.

61 26 4. "Emergency 911 notification device" means a  
61 27 product capable of accessing a public safety answering  
61 28 point through the 911 system.

61 29 ~~3-~~ 5. "Enhanced 911" or "E911" means a service  
61 30 ~~which that~~ provides the user of a ~~public telephone~~  
61 31 ~~system~~ communications service with the ability to  
61 32 reach a public safety answering point by dialing the  
61 33 digits 911, and ~~which that~~ has the following  
61 34 additional features:  
61 35 a. Routes an incoming 911 call to the appropriate  
61 36 public safety answering point ~~selected from the public~~  
61 37 ~~safety answering points operating in a 911 service~~  
61 38 ~~area.~~

61 39 b. Automatically provides voice, displays the  
61 40 name, address or location, and telephone number of an  
61 41 incoming 911 call and public safety agency servicing  
61 42 the ~~address on a video monitor at the appropriate~~  
61 43 ~~public safety answering point location.~~

61 44 ~~4-~~ 6. "Enhanced 911 service area" means the  
61 45 geographic area to be serviced, or currently serviced  
61 46 under an enhanced 911 service plan, provided that an  
61 47 enhanced 911 service area must at minimum encompass  
61 48 one entire county. The enhanced 911 service area may  
61 49 encompass more than one county, and need not be  
61 50 restricted to county boundaries.

62 1 ~~5-~~ 7. "Enhanced 911 service plan" means a plan  
62 2 that includes the following information:  
62 3 a. A description of the enhanced 911 service area.  
62 4 b. A list of all public and private safety  
62 5 agencies within the enhanced 911 service area.  
62 6 c. The number of public safety answering points  
62 7 within the enhanced 911 service area.  
62 8 d. Identification of the agency responsible for  
62 9 management and supervision of the enhanced 911  
62 10 emergency ~~telephone~~ communication system.  
62 11 e. A statement of estimated costs to be incurred  
62 12 by the joint E911 service board or the department of  
62 13 public safety, including separate estimates of the

62 14 following:

62 15 (1) Nonrecurring costs, including, but not limited  
62 16 to, public safety answering points, network equipment,  
62 17 software, database, addressing, initial training, and  
62 18 other capital and start-up expenditures, including the  
62 19 purchase or lease of subscriber names, addresses, and  
62 20 telephone information from the local exchange service  
62 21 provider.

62 22 (2) Recurring costs, including, but not limited  
62 23 to, network access fees and other telephone charges,

62 24 software, equipment, and database management, and  
62 25 maintenance, including the purchase or lease of  
62 26 subscriber names, addresses, and telephone information  
62 27 from the local exchange service provider. Recurring  
62 28 costs shall not include personnel costs for a public  
62 29 safety answering point.

62 30 Funds deposited in an E911 service fund ~~shall be~~  
62 31 are appropriated and shall be used for the payment of  
62 32 costs which that are limited to nonrecurring and  
62 33 recurring costs directly attributable to the provision  
62 34 of 911 emergency telephone communication service and  
62 35 may include costs for portable and vehicle radios,  
62 36 communication towers and associated equipment, and  
62 37 other radios and associated equipment permanently  
62 38 located at the public safety answering point and as  
62 39 directed by either the joint E911 service board or the  
62 40 department of public safety. Costs do not include  
62 41 expenditures for any other purpose, and specifically  
62 42 exclude costs attributable to other emergency services  
62 43 or expenditures for buildings or personnel, except for  
62 44 the costs of personnel for database management and  
62 45 personnel directly associated with addressing.

62 46 f. Current equipment operated by affected local  
62 47 exchange service providers, and central office  
62 48 equipment and technology upgrades necessary for the  
62 49 provider to implement enhanced 911 service within the  
62 50 enhanced 911 service area on or before July 1, 1992.

63 1 g. A schedule for implementation of the plan  
63 2 throughout the E911 service area. The schedule may  
63 3 provide for phased implementation. ~~However, a joint~~  
63 4 ~~911 service board may decide not to implement E911~~  
63 5 ~~service.~~

63 6 h. The number of telephone access lines capable of  
63 7 access to 911 in the enhanced 911 service area.

63 8 i. The total property valuation in the enhanced  
63 9 911 service area.

63 10 ~~6. "Enhanced 911 service surcharge" is a charge~~  
63 11 ~~set by the E911 service area operating authority and~~  
63 12 ~~assessed on each access line which physically~~  
63 13 ~~terminates within the E911 service area.~~

63 14 ~~8. "Local exchange carrier" means the same as~~  
63 15 ~~defined in section 476.96.~~

63 16 ~~7- 9. "Local exchange service provider" means a~~  
63 17 ~~person vendor engaged in providing telecommunications~~  
63 18 ~~service between points within an exchange and includes~~  
63 19 ~~but is not limited to a competitive local exchange~~  
63 20 ~~service provider and a local exchange carrier.~~

63 21 ~~10. "Program manager" means the E911 program~~  
63 22 ~~manager appointed pursuant to section 34A.2A.~~

63 23 ~~8- 11. "Provider" means a person vendor~~ 63 24 provides, or offers to provide, E911  
equipment,

63 25 installation, maintenance, or exchange access services  
63 26 within the enhanced 911 service area.

63 27 ~~9- 12. "Public or private safety agency" means a~~  
63 28 ~~unit of state or local government, a special purpose~~  
63 29 ~~district, or a private firm which provides or has the~~  
63 30 ~~authority to provide fire fighting, police, ambulance,~~  
63 31 ~~or emergency medical services, or hazardous materials~~  
63 32 ~~response.~~

63 33 ~~10- 13. "Public safety answering point" means a~~  
63 34 ~~twenty-four hour local jurisdiction twenty-four-hour~~  
63 35 ~~public safety communications facility which that~~  
63 36 ~~receives enhanced 911 service calls and directly~~  
63 37 ~~dispatches emergency response services or relays calls~~  
63 38 ~~to the appropriate public or private safety agency.~~

63 39 ~~14. "Wireless E911 phase 1" means a 911 call made~~  
63 40 ~~from a wireless device in which the wireless service~~  
63 41 ~~provider delivers the call-back number and address of~~  
63 42 ~~the tower that received the call to the appropriate~~  
63 43 ~~public safety answering point.~~

63 44 ~~15. "Wireless E911 phase 2" means a 911 call made~~  
63 45 ~~from a wireless device in which the wireless service~~  
63 46 ~~provider delivers the call-back number and the~~  
63 47 ~~latitude and longitude coordinates of the wireless~~  
63 48 ~~device to the appropriate public safety answering~~  
63 49 ~~point.~~

63 50 ~~16. "Wire-line E911 service surcharge" is a charge~~  
64 1 ~~set by the E911 service area operating authority and~~  
64 2 ~~assessed on each wire-line access line which~~  
64 3 ~~physically terminates within the E911 service area.~~

64 4 Sec. \_\_\_\_\_. Section 34A.2A, Code 2003, is amended to

64 5 read as follows:

64 6 34A.2A ~~ADMINISTRATOR PROGRAM MANAGER~~ ==

64 7 APPOINTMENT == DUTIES.

64 8 1. The administrator of the division of homeland

64 9 security and emergency management division of the

64 10 department of public defense shall appoint an E911

64 11 administrator program manager to administer this

64 12 chapter.

64 13 2. The E911 administrator program manager shall

64 14 act under the supervisory control of the administrator

64 15 of the division of homeland security and emergency

64 16 management division of the department of public

64 17 defense, and in consultation with the E911

64 18 communications council, and perform the duties

64 19 specifically set forth in this chapter and as assigned

64 20 by the administrator.

64 21 Sec. \_\_\_\_\_. Section 34A.3, Code 2003, is amended to

64 22 read as follows:

64 23 34A.3 JOINT ~~911~~ E911 SERVICE BOARD == 911 SERVICE

64 24 PLAN == IMPLEMENTATION == WAIVERS.

64 25 1. JOINT ~~911~~ E911 SERVICE BOARDS ~~TO SUBMIT~~ 64 26 PLANS.

64 27 a. The board of supervisors of each county shall

64 28 establish maintain a joint ~~911~~ E911 64 29 later than January 1, 1989.

64 30 (1) Each political subdivision of the state having

64 31 a public safety agency serving territory within the

64 32 county is entitled to voting membership on the joint

64 33 ~~911~~ E911 service board. Each private safety agency

64 34 operating within the area is entitled to nonvoting

64 35 membership on the board.

64 36 (2) A township ~~which~~ that does not operate its own

64 37 public safety agency, but contracts for the provision

64 38 of public safety services, is not entitled to

64 39 membership on the joint ~~911~~ E911 service board, but

64 40 its contractor is entitled to membership according to

64 41 the contractor's status as a public or private safety

64 42 agency.

64 43 b. The joint ~~911~~ E911 service board shall

64 44 maintain an enhanced 911 service plan encompassing at

64 45 minimum the entire county, unless an exemption is

64 46 granted by the administrator program manager

64 47 permitting a smaller E911 service area.

64 48 (1) The administrator program manager may grant a

64 49 discretionary exemption from the single county minimum

64 50 service area requirement based upon ~~an E911~~ a joint

65 1 E911 service board's or other E911 service plan

65 2 operating authority's presentation of evidence which

65 3 supports the requested exemption if the administrator

65 4 program manager finds that local conditions make

65 5 adherence to the minimum standard unreasonable or

65 6 technically infeasible, and that the purposes of this

65 7 chapter would be furthered by granting an exemption.

65 8 The minimum size requirement is intended to prevent

65 9 unnecessary duplication of public safety answering

65 10 points and minimize other administrative, personnel,

65 11 and equipment expenses. ~~An E911 service area must~~

65 12 ~~encompass a geographically contiguous area. No~~

65 13 ~~exemption shall be granted from the contiguous area~~

65 14 ~~requirement.~~

65 15 (2) The administrator program manager may order

65 16 the inclusion of a specific territory in an adjoining

65 17 E911 service plan area to avoid the creation by

65 18 exclusion of a territory smaller than a single county

65 19 not serviced by surrounding E911 service plan areas

65 20 upon request of the joint ~~911~~ E911 service board

65 21 representing the territory.

65 22 c. The E911 service plan operating authority shall

65 23 submit proposed changes to the plan on or before

65 24 January 1, 1994, to all of the following:

65 25 a. (1) The administrator program manager 65 26 b. (2) Public and private safety

agencies in the

65 27 enhanced 911 service area.

65 28 ~~c. (3) Providers Local exchange service pr~~

65 29 ~~affected by the enhanced 911 service plan.~~

65 30 ~~An E911 joint service board that has a state-~~

65 31 ~~approved service plan in place prior to July 1, 1993,~~

65 32 ~~is exempt from the provisions of this section. The~~

65 33 ~~administrator shall establish, by July 1, 1994, E911~~

65 34 ~~service plans for those E911 joint service boards~~

65 35 ~~which do not have a state-approved service plan in~~

65 36 ~~place on or before January 1, 1994.~~

65 37 ~~The administrator shall prepare a summary of the~~

~~65 38 plans submitted and present the summary to the  
65 39 legislature on or before August 1, 1994.~~

65 40 2. COMPLIANCE WAIVERS AVAILABLE IN LIMITED  
65 41 CIRCUMSTANCES.

65 42 a. The ~~administrator~~ program manager may extend 65 43 in whole or in part, the time  
period for plan

~~65 44 implementation by issuing for implementation of an  
65 45 enhanced 911 service plan beyond the scheduled plan of  
65 46 implementation, by issuance of a compliance waiver.~~

65 47 b. The compliance waiver shall be based upon a  
65 48 joint ~~911~~ E911 service board's presentation of  
65 49 evidence which supports an extension if the

65 50 ~~administrator~~ program manager finds that local  
66 1 conditions make implementation financially  
66 2 unreasonable or technically infeasible by the  
66 3 originally scheduled plan of implementation.

66 4 c. The compliance waiver shall be for a set period  
66 5 of time, and subject to review and renewal or denial  
66 6 of renewal upon its expiration.

66 7 d. The waiver may cover all or a portion of a 911  
66 8 service plan's enhanced 911 service area to facilitate  
66 9 phased implementation when possible.

66 10 e. The granting of a compliance waiver does not  
66 11 create a presumption that the identical or similar  
66 12 waiver will be extended in the future.

66 13 f. Consideration of compliance waivers shall be on  
66 14 a case-by-case basis.

66 15 3. CHAPTER 28E AGREEMENT == ALTERNATIVE TO JOINT  
66 16 ~~911~~ E911 SERVICE BOARD. A legal entity created  
66 17 pursuant to chapter 28E by a county or counties, other  
66 18 political divisions, and public or private agencies to  
66 19 jointly plan, implement, and operate a countywide, or  
66 20 larger, enhanced 911 service system may be substituted  
66 21 for the joint ~~911~~ E911 service board required under  
66 22 subsection 1.

66 23 An alternative legal entity created pursuant to  
66 24 chapter 28E as a substitute for a joint ~~911~~ E911  
66 25 service board, as permitted by this subsection, may be  
66 26 created by either:

66 27 a. Agreement of the parties entitled to voting  
66 28 membership on a joint ~~911~~ E911 service board.

66 29 b. Agreement of the members of a joint ~~911~~ E911  
66 30 service board.

66 31 An alternative chapter 28E entity has all of the  
66 32 powers of a joint ~~911~~ E911 service board and any  
66 33 additional powers granted by the agreement. As used  
66 34 in this chapter, "joint ~~911~~ E911 service board"  
66 35 includes an alternative chapter 28E entity created for  
66 36 that purpose, except as specifically limited by the  
66 37 chapter 28E agreement or unless clearly provided  
66 38 otherwise in this chapter. A chapter 28E agreement  
66 39 related to E911 service shall permit the participation  
66 40 of a private safety agency or other persons allowed to  
66 41 participate in a joint ~~911~~ E911 service board, but the  
66 42 terms, scope, and conditions of participation are  
66 43 subject to the chapter 28E agreement.

66 44 4. PARTICIPATION IN JOINT E911 SERVICE BOARD  
66 45 REQUIRED. A political subdivision or state agency  
66 46 having a public safety agency within its territory or  
66 47 jurisdiction shall participate in a joint E911 service  
66 48 board and cooperate in preparing maintaining the E911  
66 49 service plan.

66 50 Sec.     . Section 34A.4, Code 2003, is amended to  
67 1 read as follows:

67 2 34A.4 ~~REQUIRED CONVERSION REQUIREMENTS OF PAY~~  
67 3 ~~TELEPHONES AND OTHER TELECOMMUNICATIONS DEVICES TO~~  
67 4 ~~ALLOW 911 CALLS WITHOUT DEPOSITING COINS OR OTHER~~  
67 5 ~~CHARGE.~~

~~67 6 1. CONVERSION AND NOTICE REQUIRED. When an  
67 7 enhanced 911 service system becomes operational or as  
67 8 soon as feasible thereafter, each provider or other  
67 9 owner or lessee of a pay station telephone to be  
67 10 operated within the enhanced 911 service area shall do  
67 11 the following:~~

~~67 12 a. Convert each telephone to permit a caller to  
67 13 dial 911 without first inserting a coin or paying any  
67 14 other charge.~~

~~67 15 b. Prominently display on each pay telephone a  
67 16 notice advising callers to dial 911 in an emergency  
67 17 and that deposit of a coin is not required.~~

67 18 2. CERTAIN PAY PHONES PROHIBITED WITHIN SERVICE

~~67 19 AREA. After commencement of enhanced 911 service in~~  
67 20 In an enhanced 911 service area, a person shall not  
67 21 install or offer for use within the enhanced 911  
67 22 service area a pay station telephone or other fixed  
67 23 device unless the telephone or device is capable of  
67 24 accepting making a 911 call without prior insertion of  
67 25 a coin or payment of any other charge, and unless the  
67 26 telephone or device displays notice of free 911  
67 27 service.

67 28 Sec. \_\_\_\_\_. Section 34A.6, subsection 1, unnumbered  
67 29 paragraph 1, Code 2003, is amended to read as follows:

67 30 Before a joint E911 service board may request  
67 31 imposition of the surcharge by the ~~administrator~~  
67 32 program manager, the board shall submit the following  
67 33 question to voters, as provided in subsection 2, in  
67 34 the proposed E911 service area, and the question shall  
67 35 receive a favorable vote from a simple majority of  
67 36 persons submitting valid ballots on the following  
67 37 question within the proposed E911 service area:

67 38 Sec. \_\_\_\_\_. Section 34A.7, unnumbered paragraph 1,  
67 39 Code 2003, is amended to read as follows:

67 40 When an E911 service plan is implemented, the costs  
67 41 of providing E911 service within an E911 service area  
67 42 are the responsibility of the joint E911 service board  
67 43 and the member political subdivisions. Costs in  
67 44 excess of the amount raised by imposition of the E911  
67 45 service surcharge provided for under subsection 1,  
67 46 shall be paid by the joint E911 service board from  
67 47 such revenue sources allocated among the member  
67 48 political subdivisions as determined by the joint E911  
67 49 service board. Funding is not limited to the  
67 50 surcharge, and surcharge revenues may be supplemented  
68 1 by other permissible local and state revenue sources.  
68 2 A joint ~~911~~ E911 service board shall not commit a  
68 3 political subdivision to appropriate property tax  
68 4 revenues to fund an E911 service plan without the  
68 5 consent of the political subdivision. A joint ~~911~~  
68 6 E911 service board may approve ~~a 911~~ an E911 service  
68 7 plan, including a funding formula requiring  
68 8 appropriations by participating political  
68 9 subdivisions, subject to the approval of the funding  
68 10 formula by each political subdivision. However, a  
68 11 political subdivision may agree in advance to  
68 12 appropriate property tax revenues or other moneys  
68 13 according to a formula or plan developed by an  
68 14 alternative chapter 28E entity.

68 15 Sec. \_\_\_\_\_. Section 34A.7, subsections 1, 2, 3, and  
68 16 4, Code 2003, are amended to read as follows:

68 17 1. LOCAL WIRE=LINE E911 SERVICE SURCHARGE  
68 18 IMPOSITION.

68 19 a. To encourage local implementation of E911  
68 20 service, one source of funding for E911 emergency  
68 21 telephone communication systems shall come from a  
68 22 surcharge per month, per access line on each access  
68 23 line subscriber, except as provided in subsection 5,  
68 24 equal to the lowest amount of the following:

- 68 25 (1) One dollar.
- 68 26 (2) An amount less than one dollar, which would  
68 27 fully pay both recurring and nonrecurring costs of the  
68 28 E911 service system within five years from the date  
68 29 the maximum surcharge is imposed.
- 68 30 (3) The maximum monetary limitation approved by  
68 31 referendum.

68 32 b. The surcharge shall be imposed by order of the  
68 33 ~~administrator~~ program manager as follows:

68 34 (1) The ~~administrator~~ program manager shall notify  
68 35 a local exchange service provider scheduled to provide  
68 36 exchange access line service to an E911 service area,  
68 37 that implementation of an E911 service plan has been  
68 38 approved by the joint ~~911~~ E911 service board and by  
68 39 the service area referendum, and that collection of  
68 40 the surcharge is to begin within one hundred days.

68 41 (2) ~~The notice shall be provided at least one~~  
68 42 ~~hundred days before the surcharge must be billed for~~  
68 43 ~~the first time~~ program manager shall also provide  
68 44 notice to all affected public safety answering points.

68 45 c. ~~The surcharge shall terminate at the end of~~  
68 46 ~~twenty-four months, unless either, or both, of the~~  
68 47 ~~following conditions is met:~~

68 48 (1) ~~E911 service is initiated for all or a part of~~  
68 49 ~~the E911 service area.~~

68 50 ~~(2) An extension is granted by the administrator~~  
69 1 ~~for good cause.~~  
69 2 ~~d. The surcharge shall terminate at the end of~~  
69 3 ~~twenty-four months if the joint E911 service plan has~~  
69 4 ~~not been approved by the administrator within eighteen~~  
69 5 ~~months of the original notice to the provider to~~  
69 6 ~~impose the surcharge, and shall not be reimposed until~~  
69 7 ~~a service plan is approved by the administrator and~~  
69 8 ~~the administrator gives providers notice as required~~  
69 9 ~~by paragraph "a", subparagraphs (1) and (2).~~  
69 10 2. SURCHARGE COLLECTED BY LOCAL EXCHANGE SERVICE  
69 11 PROVIDERS.  
69 12 a. The surcharge shall be collected as part of the  
69 13 access line service provider's periodic billing to a  
69 14 subscriber. In compensation for the costs of billing  
69 15 and collection, the local exchange service provider  
69 16 may retain one percent of the gross surcharges  
69 17 collected. If the compensation is insufficient to  
69 18 fully recover a local exchange service provider's  
69 19 costs for billing and collection of the surcharge, the  
69 20 deficiency shall be included in the local exchange  
69 21 service provider's costs for ratemaking purposes to  
69 22 the extent it is reasonable and just under section  
69 23 476.6. The surcharge shall be remitted to the E911  
69 24 service operating authority for deposit into the E911  
69 25 service fund quarterly by the local exchange service  
69 26 provider. The total amount for multiple exchanges may  
69 27 be combined.  
69 28 b. A local exchange service provider is not liable  
69 29 for an uncollected surcharge for which the local  
69 30 exchange service provider has billed a subscriber but  
69 31 not been paid. The surcharge shall appear as a single  
69 32 line item on a subscriber's periodic billing entitled,  
69 33 "E911 emergency telephone service surcharge". The  
69 34 E911 service surcharge is not subject to sales or use  
69 35 tax.  
69 36 c. The joint E911 service board may request, not  
69 37 more than once each quarter, the following information  
69 38 from the local exchange service provider:  
69 39 (1) The identity of the exchange from which the  
69 40 surcharge is collected.  
69 41 (2) The number of lines to which the surcharge was  
69 42 applied for the quarter.  
69 43 (3) The number of refusals to pay per exchange if  
69 44 applicable.  
69 45 (4) Write-offs applied per exchange if applicable.  
69 46 (5) The number of lines exempt per exchange.  
69 47 (6) The amount retained by the local exchange  
69 48 service provider generated from the one percent  
69 49 administration fee.  
69 50 d. Access line counts and surcharge remittances  
70 1 are confidential public records as provided in section  
70 2 34A.8.  
70 3 3. MAXIMUM LIMIT PER SUBSCRIBER BILLING FOR  
70 4 SURCHARGE. An individual subscriber shall not be  
70 5 required to pay on a single periodic billing the  
70 6 surcharge on more than one hundred access lines, or  
70 7 their equivalent, in an E911 service area. A  
70 8 subscriber shall pay the surcharge in each E911  
70 9 service area in which the subscriber receives access  
70 10 line service.  
70 11 4. E911 SERVICE FUND. Each joint E911 service  
70 12 board shall establish and maintain as a separate  
70 13 account an E911 service fund. Any funds remaining in  
70 14 the account at the end of each fiscal year shall not  
70 15 revert to the general funds of the member political  
70 16 subdivisions, except as provided in subsection 5, but  
70 17 shall remain in the E911 service fund. Moneys in an  
70 18 E911 service fund may only be used for nonrecurring  
70 19 and recurring costs of the E911 service plan as  
70 20 approved by the administrator program manager, as  
70 21 those terms are defined by section 34A.2.  
70 22 Sec. \_\_\_\_\_. Section 34A.7, subsection 5, paragraph  
70 23 b, subparagraphs (2) and (3), Code 2003, are amended  
70 24 to read as follows:  
70 25 (2) If money remains in the fund after fully  
70 26 paying for recurring costs incurred in the preceding  
70 27 year, the remainder may be spent to pay for  
70 28 nonrecurring costs, not to exceed actual nonrecurring  
70 29 costs as approved by the administrator program  
70 30 manager.

70 31 (3) If money remains in the fund after fully  
70 32 paying obligations under subparagraphs (1) and (2),  
70 33 the remainder may be accumulated in the fund as a  
70 34 carryover operating surplus. If the surplus is  
70 35 greater than twenty-five percent of the approved  
70 36 annual operating budget for the next year, the  
70 37 ~~administrator program manager~~ shall reduce the  
70 38 surcharge by an amount calculated to result in a  
70 39 surplus of no more than twenty-five percent of the  
70 40 planned annual operating budget. After nonrecurring  
70 41 costs have been paid, if the surcharge is less than  
70 42 the maximum allowed and the fund surplus is less than  
70 43 twenty-five percent of the approved annual operating  
70 44 budget, the ~~administrator program manager~~ shall, upon  
70 45 application of the joint E911 service board, increase  
70 46 the surcharge in an amount calculated to result in a  
70 47 surplus of twenty-five percent of the approved annual  
70 48 operating budget. The surcharge may only be adjusted  
70 49 once in a single year, upon one hundred days' prior  
70 50 notice to the provider.

71 1 Sec. \_\_\_\_\_. Section 34A.7A, subsection 1, Code 2003,  
71 2 is amended to read as follows:

71 3 1. a. Notwithstanding section 34A.6, the  
71 4 administrator shall adopt by rule a monthly surcharge  
71 5 of up to ~~fifty sixty-five~~ cents to be imposed on each  
71 6 wireless communications service number provided in  
71 7 this state. The surcharge shall be imposed uniformly  
71 8 on a statewide basis and simultaneously on all  
71 9 wireless communications service numbers as provided by  
71 10 rule of the administrator.

71 11 b. The ~~administrator program manager~~ shall provide  
71 12 no less than one hundred days' notice of the surcharge  
71 13 to be imposed to each wireless communications service  
71 14 provider. The ~~administrator program manager~~, subject  
71 15 to the ~~fifty sixty-five~~ cent limit in paragraph "a",  
71 16 may adjust the amount of the surcharge as necessary,  
71 17 but no more than once in any calendar year.

71 18 c. (1) The surcharge shall be collected as part  
71 19 of the wireless communications service provider's  
71 20 periodic billing to a subscriber. The surcharge shall  
71 21 appear as a single line item on a subscriber's  
71 22 periodic billing indicating that the surcharge is for  
71 23 E911 emergency telephone service. In the case of  
71 24 prepaid wireless telephone service, this surcharge  
71 25 shall be remitted based upon the address associated  
71 26 with the point of purchase, the customer billing  
71 27 address, or the location associated with the mobile  
71 28 telephone number for each active prepaid wireless  
71 29 telephone that has a sufficient positive balance as of  
71 30 the last days of the information, if that information  
71 31 is available. The wireless E911 service surcharge is  
71 32 not subject to sales or use tax.

71 33 (2) In compensation for the costs of billing and  
71 34 collection, the wireless communications service  
71 35 provider may retain one percent of the gross  
71 36 surcharges collected.

71 37 (3) The surcharges shall be remitted quarterly by  
71 38 the wireless communications service provider to the  
71 39 administrator program manager for deposit into the  
71 40 fund established in subsection 2.

71 41 (4) A wireless communications service provider is  
71 42 not liable for an uncollected surcharge for which the  
71 43 wireless communications service provider has billed a  
71 44 subscriber but which has not been paid. The surcharge  
71 45 shall appear as a single line item on a subscriber's  
71 46 periodic billing indicating that the surcharge is for  
71 47 E911 emergency telephone service. The E911 service  
71 48 surcharge is not subject to sales or use tax.

71 49 Sec. \_\_\_\_\_. Section 34A.7A, subsection 2, Code 2003,  
71 50 is amended to read as follows:

72 1 2. Moneys collected pursuant to subsection 1 shall  
72 2 be deposited in a separate wireless E911 emergency  
72 3 communications fund within the state treasury under  
72 4 the control of the ~~administrator program manager~~.  
72 5 Section 8.33 shall not apply to moneys in the fund.  
72 6 Moneys earned as income, including as interest, from  
72 7 the fund shall remain in the fund until expended as  
72 8 provided in this section. Moneys in the fund shall be  
72 9 expended and distributed ~~annually as follows in the~~  
72 10 ~~following priority order:~~

72 11 a. An amount as appropriated by the general

72 12 assembly to the administrator shall be allocated to  
72 13 the administrator and program manager for  
72 14 implementation, support, and maintenance of the  
72 15 functions of the administrator and program manager and  
72 16 to employ the auditor of state to perform an annual  
72 17 audit of the wireless E911 emergency communications  
72 18 fund.

72 19 b. The program manager shall allocate twenty-one  
72 20 percent of the total amount of surcharge generated to  
72 21 wireless carriers to recover their costs to deliver  
72 22 E911 phase 1 services. If the allocation in this  
72 23 paragraph is insufficient to reimburse all wireless  
72 24 carriers for such carrier's eligible expenses, the  
72 25 program manager shall allocate a prorated amount to  
72 26 each wireless carrier equal to the percentage of such  
72 27 carrier's eligible expenses as compared to the total  
72 28 of all eligible expenses for all wireless carriers for  
72 29 the calendar quarter during which such expenses were  
72 30 submitted. When prorated expenses are paid, the  
72 31 remaining unpaid expenses shall no longer be eligible  
72 32 for payment under this paragraph.

72 33 c. The program manager shall reimburse wire-line  
72 34 carriers on a calendar quarter basis for carriers'  
72 35 eligible expenses for transport costs between the  
72 36 selective router and the public safety answering  
72 37 points related to the delivery of wireless E911 phase  
72 38 1 services.

72 39 b. d. (1) The administrator shall retain  
72 40 necessary to reimburse wireless carriers for their  
72 41 costs to deliver E911 services. The administrator  
72 42 shall assure that wireless carriers recover all  
72 43 eligible costs associated with the implementation and  
72 44 operation of E911 services, including but not limited  
72 45 to hardware, software, and transport costs. The  
72 46 administrator shall adopt rules defining eligible  
72 47 costs which are consistent with federal law,  
72 48 regulations, and any order of a federal agency program  
72 49 manager shall reimburse wire-line carriers and third=  
72 50 party E911 automatic location information database  
73 1 providers on a calendar quarterly basis for the costs  
73 2 of maintaining and upgrading the E911 components and  
73 3 functionalities beyond the input to the E911 selective  
73 4 router, including the E911 selective router and the  
73 5 automatic location information database.

73 6 (2) The administrator shall provide for the  
73 7 reimbursement of wireless carriers on a quarterly  
73 8 basis. If the total amount of moneys available in the  
73 9 fund for the reimbursement of wireless carriers  
73 10 pursuant to subparagraph (1) is insufficient to  
73 11 reimburse all wireless carriers for such carriers'  
73 12 eligible expenses, the administrator shall remit an  
73 13 amount to each wireless carrier equal to the  
73 14 percentage of such carrier's eligible expenses as  
73 15 compared to the total of all eligible expenses for all  
73 16 wireless carriers for the calendar quarter during  
73 17 which such expenses were submitted.

73 18 e. The program manager shall apply an amount up to  
73 19 five hundred thousand dollars per calendar quarter to  
73 20 any outstanding wireless E911 phase 1 obligations  
73 21 incurred pursuant to this chapter prior to July 1,  
73 22 2004.

73 23 f. (1) The program manager shall allocate an  
73 24 amount up to one hundred fifty-nine thousand dollars  
73 25 per calendar quarter equally to the joint E911 service  
73 26 boards and the department of public safety that have  
73 27 submitted an annual written request to the program  
73 28 manager in a form approved by the program manager by  
73 29 May 15 of each year. The program manager shall  
73 30 allocate to each joint E911 service board and to the  
73 31 department of public safety a minimum of one thousand  
73 32 dollars per calendar quarter for each public safety  
73 33 answering point within the service area of the  
73 34 department of public safety or joint E911 service  
73 35 board.

73 36 (2) Upon retirement of outstanding obligations  
73 37 referred to in paragraph "e", the amount allocated  
73 38 under this paragraph "f" shall be twenty-four percent  
73 39 of the total amount of surcharge generated per  
73 40 calendar quarter allocated as follows:

73 41 (a) Sixty-five percent of the total dollars  
73 42 available for allocation shall be allocated in

~~73 43 proportion to the square miles of the service area to  
73 44 the total square miles in this state.  
73 45 (b) Thirty-five percent of the total dollars  
73 46 available for allocation shall be allocated in  
73 47 proportion to the wireless E911 calls taken at the  
73 48 public safety answering point in the service area to  
73 49 the total number of wireless E911 calls originating in  
73 50 this state.~~

~~74 1 (c) Notwithstanding subparagraph subdivisions (a)  
74 2 and (b), the minimum amount allocated to each joint  
74 3 E911 service board and to the department of public  
74 4 safety shall be no less than one thousand dollars for  
74 5 each public safety answering point within the service  
74 6 area of the department of public safety or joint E911  
74 7 service board.~~

~~74 8 (3) The funds allocated in this paragraph "f"  
74 9 shall be used for communication equipment located  
74 10 inside the public safety answering points for the  
74 11 implementation and maintenance of wireless E911 phase  
74 12 2. The joint E911 service boards and the department  
74 13 of public safety shall provide an estimate of phase 2  
74 14 implementation costs to the program manager by January  
74 15 1, 2005.~~

~~74 16 c. (1) The remainder of the surcharge collected  
74 17 shall be remitted to the administrator for  
74 18 distribution to the joint E911 service boards and the  
74 19 department of public safety pursuant to subparagraph  
74 20 (2) to be used for the implementation of enhanced  
74 21 wireless communications capabilities.~~

~~74 22 g. If moneys remain in the fund after fully paying  
74 23 all obligations under paragraphs "a" through "f", the  
74 24 remainder may be accumulated in the fund as a  
74 25 carryover operating surplus. This surplus shall be  
74 26 used to fund future phase 2 network and public safety  
74 27 answering point improvements and wireless carriers'  
74 28 transport costs related to wireless E911 services, if  
74 29 those costs are not otherwise recovered by wireless  
74 30 carriers through customer billing or other sources and  
74 31 approved by the program manager. Notwithstanding  
74 32 section 8.33, any moneys remaining in the fund at the  
74 33 end of each fiscal year shall not revert to the  
74 34 general fund of the state but shall remain available  
74 35 for the purposes of the fund.~~

~~74 36 (2) h. The administrator, in consultation with the  
74 37 program manager and the E911 communications council,  
74 38 shall adopt rules pursuant to chapter 17A governing  
74 39 the distribution of the surcharge collected and  
74 40 distributed pursuant to this lettered paragraph  
74 41 subsection. The rules shall include provisions that  
74 42 all joint E911 service boards and the department of  
74 43 public safety which answer or service wireless E911  
74 44 calls are eligible to receive an equitable portion of  
74 45 the receipts.~~

~~74 46 A joint E911 service board or the department of  
74 47 public safety, to receive funds from the wireless E911  
74 48 emergency communications fund, must submit a written  
74 49 request for such funds to the administrator in a form  
74 50 as approved by the administrator. A request shall be  
75 1 for funding under an approved E911 service plan for  
75 2 equipment which is directly related to the reception  
75 3 and disposition of incoming wireless E911 calls. The  
75 4 administrator may approve the distribution of funds  
75 5 pursuant to such request if the administrator finds  
75 6 that the requested funding is for equipment necessary  
75 7 for the reception and disposition of such calls and  
75 8 that sufficient funds are available for such  
75 9 distribution.~~

~~75 10 If insufficient funds are available to fund all  
75 11 requests, the administrator shall fund requests in an  
75 12 order deemed appropriate by the administrator after  
75 13 considering factors including, but not limited to, all  
75 14 of the following:~~

~~75 15 (a) Documented volume of wireless E911 calls  
75 16 received by each public safety answering point.~~

~~75 17 (b) The population served by each public safety  
75 18 answering point.~~

~~75 19 (c) The number of wireless telephones in the  
75 20 public safety answering point jurisdiction.~~

~~75 21 (d) The public safety of the citizens of this  
75 22 state.~~

~~75 23 (e) Any other factor deemed appropriate by the~~

~~75 24 administrator, in consultation with the E911~~  
~~75 25 communications council, and adopted by rule.~~  
75 26 ~~(3) 2A. a. The administrator program mana~~  
75 27 ~~shall submit an annual report by January 15 of each~~  
75 28 ~~year to the legislative government oversight committee~~  
75 29 ~~advising the general assembly of the status of E911~~  
75 30 ~~implementation and operations, including both land-~~  
75 31 ~~line wire=~~line and wireless services, and the  
75 32 distribution of surcharge receipts, and an accounting  
75 33 of the revenues and expenses of the E911 program.  
75 34 b. The program manager shall submit a calendar  
75 35 quarter report of the revenues and expenses of the  
75 36 E911 program to the fiscal services division of the  
75 37 legislative services agency.  
75 38 c. The legislative government oversight committee  
75 39 shall review the priorities of distribution of funds  
75 40 under this chapter at least every two years.

75 41 Sec. \_\_\_\_\_. Section 34A.7A, subsection 3, Code 2003,  
75 42 is amended to read as follows:  
75 43 3. The amount collected from a wireless service  
75 44 provider and deposited in the fund, pursuant to  
75 45 section 22.7, subsection 6, information provided by a  
75 46 wireless service provider to the administrator program  
75 47 manager consisting of trade secrets, pursuant to  
75 48 section 22.7, subsection 3, and other financial or  
75 49 commercial operations information provided by a  
75 50 wireless service provider to the administrator program  
76 1 manager, shall be kept confidential as provided under  
76 2 section 22.7. This subsection does not prohibit the  
76 3 inclusion of information in any report providing  
76 4 aggregate amounts and information which does not  
76 5 identify numbers of accounts or customers, revenues,  
76 6 or expenses attributable to an individual wireless  
76 7 communications service provider.  
76 8 Sec. \_\_\_\_\_. Section 34A.8, subsection 2, unnumbered  
76 9 paragraph 2, Code 2003, is amended to read as follows:  
76 10 The program manager, joint E911 service board, the  
76 11 designated E911 service provider, and the public  
76 12 safety answering point, their agents, employees, and  
76 13 assigns shall use local exchange service information  
76 14 provided by the local exchange service provider solely  
76 15 for the purposes of providing E911 emergency telephone  
76 16 service, and it shall otherwise be kept confidential.  
76 17 A person who violates this section is guilty of a  
76 18 simple misdemeanor.  
76 19 Sec. \_\_\_\_\_. Section 34A.9, Code 2003, is amended to  
76 20 read as follows:  
76 21 34A.9 TELECOMMUNICATIONS DEVICES FOR THE ~~DEAF~~  
76 22 SPEECH AND HEARING=IMPAIRED.  
76 23 ~~By January 1, 1990, each county~~ Each public safety  
76 24 ~~answering point shall provide for the installation and~~  
76 25 ~~use of at least one telecommunications device devices~~  
76 26 ~~for the deaf at a public safety answering point~~ speech  
76 27 ~~and hearing=impaired.~~

76 28 Sec. \_\_\_\_\_. NEW SECTION. 34A.10 E911 SELECTIVE  
76 29 ROUTER.  
76 30 On and after July 1, 2004, only the program manager  
76 31 shall approve access to the E911 selective router.  
76 32 Sec. \_\_\_\_\_. Section 34A.15, Code 2003, is amended by  
76 33 adding the following new subsection:  
76 34 NEW SUBSECTION. 1A. The auditor of state or the  
76 35 auditor of state's designee shall serve as an ex  
76 36 officio nonvoting member.  
76 37 Sec. \_\_\_\_\_. Section 34A.15, subsection 2, Code 2003,  
76 38 is amended to read as follows:  
76 39 2. The council shall advise and make  
76 40 recommendations to the administrator and program  
76 41 manager regarding the implementation of this chapter.  
76 42 Such advice and recommendations shall be provided on  
76 43 issues at the request of the administrator or program  
76 44 manager or as deemed necessary by the council.  
76 45 Sec. \_\_\_\_\_. Section 16.161, unnumbered paragraph 1,  
76 46 Code 2003, is amended to read as follows:  
76 47 The authority shall assist the administrator  
76 48 program manager, appointed pursuant to section 34A.2A,  
76 49 as provided in chapter 34A, subchapter II, and the  
76 50 authority shall have all of the powers delegated to it  
77 1 by a joint E911 service board or the department of  
77 2 public defense in a chapter 28E agreement with respect  
77 3 to the issuance and securing of bonds or notes and the  
77 4 carrying out of the purposes of chapter 34A.>>

77 5 [#14](#). Title page, by striking lines 1 through 3 and  
3  
77 6 inserting the following: 77 7 and transferring appropriations, providing for  
77 8 government and economic development-related taxation,  
77 9 surcharge, and fee matters, providing for other  
77 10 properly related matters, and including penalty and  
77 11 effective and retroactive and other applicability date  
77 12 provisions.>  
77 13  
77 14  
77 15 \_\_\_\_\_  
77 16 JEFF ANGELO  
77 17 SF 2298.382 80  
77 18 mg/cf